

In this annexure:

"Council" means the City of Cape Town

"The owner" means the registered owner of the property

"The property" means **Remainder Erf 7499 Fish Hoek, 13 Simon's Town Road**

"Scheme Regulations" has the meaning assigned thereto by Ordinance 15 of 1985

APPLICATION NUMBER: 169907
FILE REFERENCE: LUM/35/7499

1. DEPARTURES APPROVED IN TERMS OF SECTION 15 OF THE LAND USE PLANNING ORDINANCE NO 15 OF 1985:

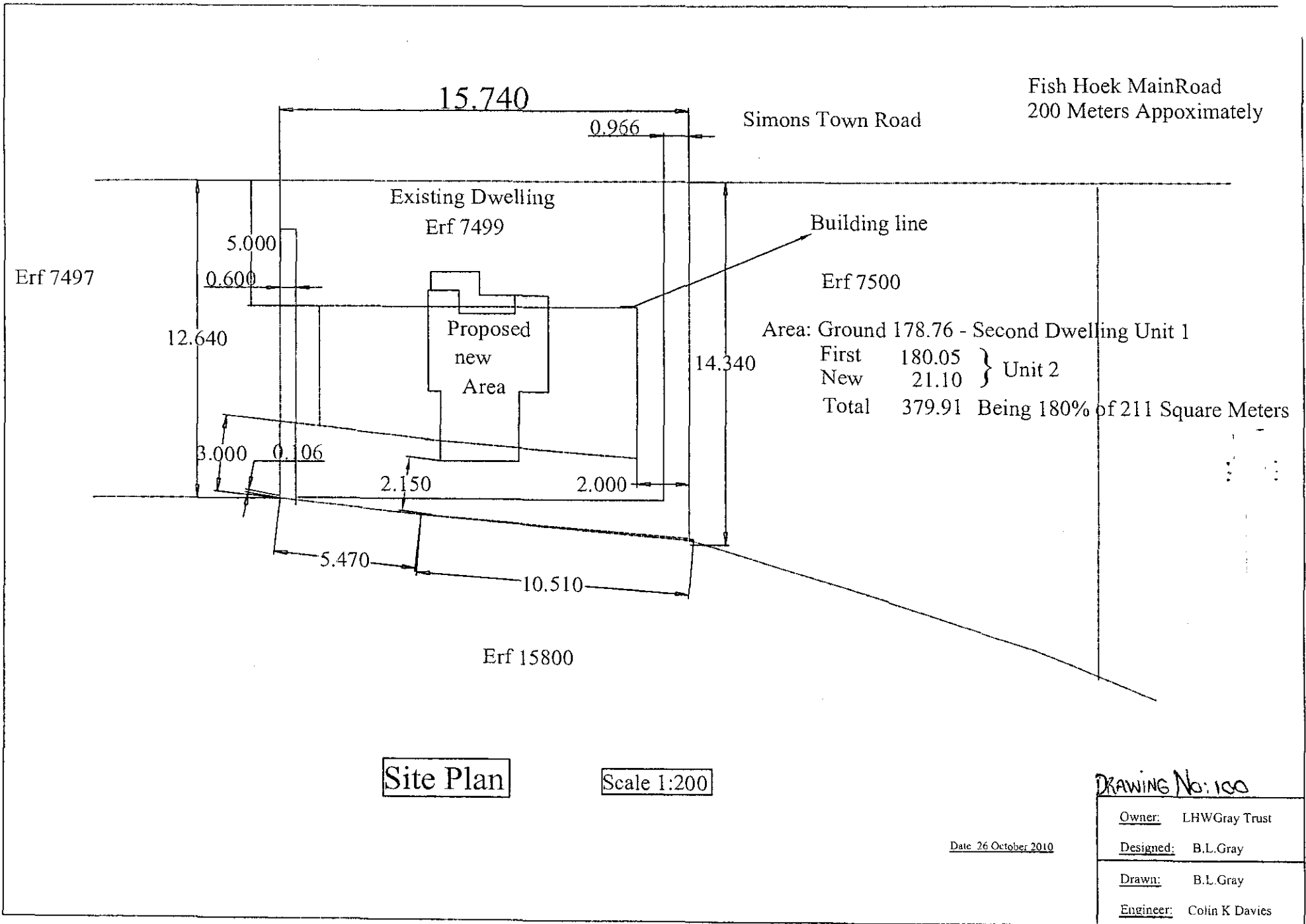
- 1.1 Section 5.4.1: To permit a second dwelling.
- 1.2 Section 8.1.1.1.2.1: To permit the building to be setback 2.150m from the rear boundary in lieu of 3m.
- 1.3 Section 8.1.3.1: To permit a 3 storey structure which exceeds the 2 storey height restriction.

2. NON COMPLIANCE WITH PROVINCIAL NOTICE P.N. 1047 OF 1988

- 2.1 To permit a total floor space of 179m² in lieu of 120m² for the second dwelling.
- 2.2 To permit a total floor space of 180% of the site area in lieu of 66%.

3. CONDITIONS IMPOSED IN TERMS OF SECTION 42 OF THE LAND USE PLANNING ORDINANCE NO 15 OF 1985:

- 3.1 Before the approval of any building plan relating to these departures, the legally registered property owner and the Municipality of Cape Town shall enter into a non-compensation agreement concerning the proposed alterations to indemnify the City against all claims of whatsoever nature, including legal costs, as a result of any cost incurred and or loss suffered in the event of this approved building work needing to be removed as a result of any infrastructure improvements deemed necessary by the City. This non-compensation agreement is to take the form of a notarial deed of restraint of sale attached to the title deed of the subject property preventing the registered owner of the property from disposing of it until the intended future owner has furnished the local authority with a similar non-compensation agreement.
- 3.2 These Departures are linked to the plans drawn by B L Gray with drawing numbers 100 & 101 dated 26 October 2010 and 102 & 103 dated 25 October 2010, drawing numbers 104, 105, 106 (all undated) and drawing numbers 107, 108, 109, 110, 111, 112, 113, & 114 all dated 4 November 2009.



Site Plan

Scale 1:200

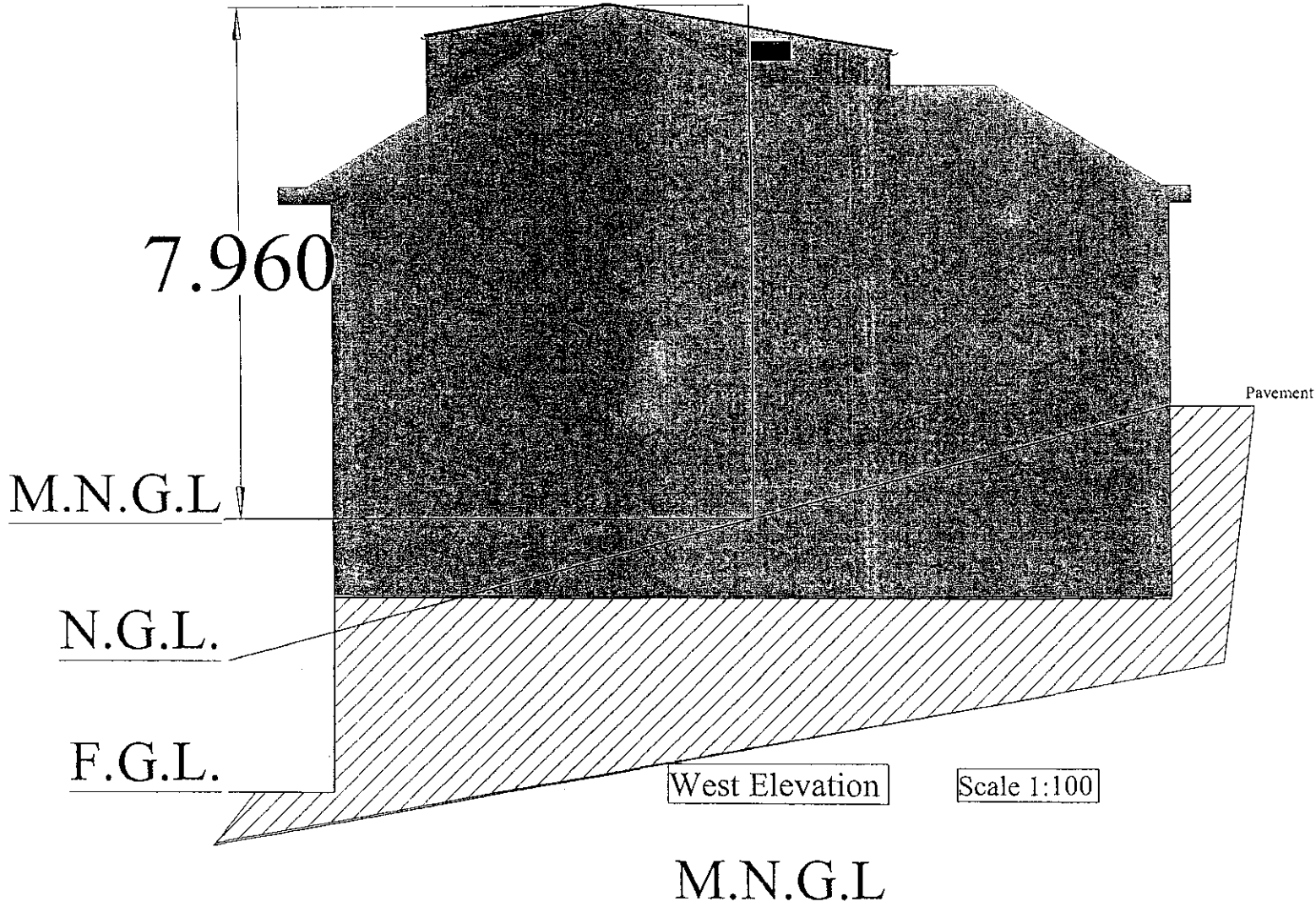
Date 26 October 2010

DRAWING No: 100

Owner:	LHWGray Trust
Designed:	B.L.Gray
Drawn:	B.L.Gray
Engineer:	Colin K Davies

Proposed Loft to Dwelling on Erf 7499

IBR Steel Roofing with Thermal Insulation beneath
Highest point to be at existing roof height and with 10 degree fall.



DRAWING No: 101

Date: 26th October 2010

Owner: LHW Gray Trust

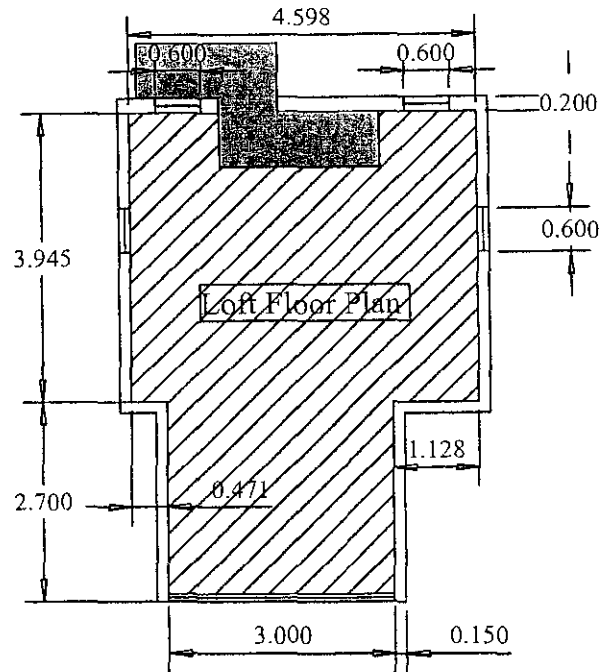
Designed: B.L.Gray

Drawn: B.L.Gray

Engineer: Colin K Davies

Proposed Loft to Dwelling on Erf 7499

Simons Town Road



Floor Plan - 25 square meters

Scale 1:100

DRAWING No: 102

Date: 25th October 2010

Owner: LHWGray Trust

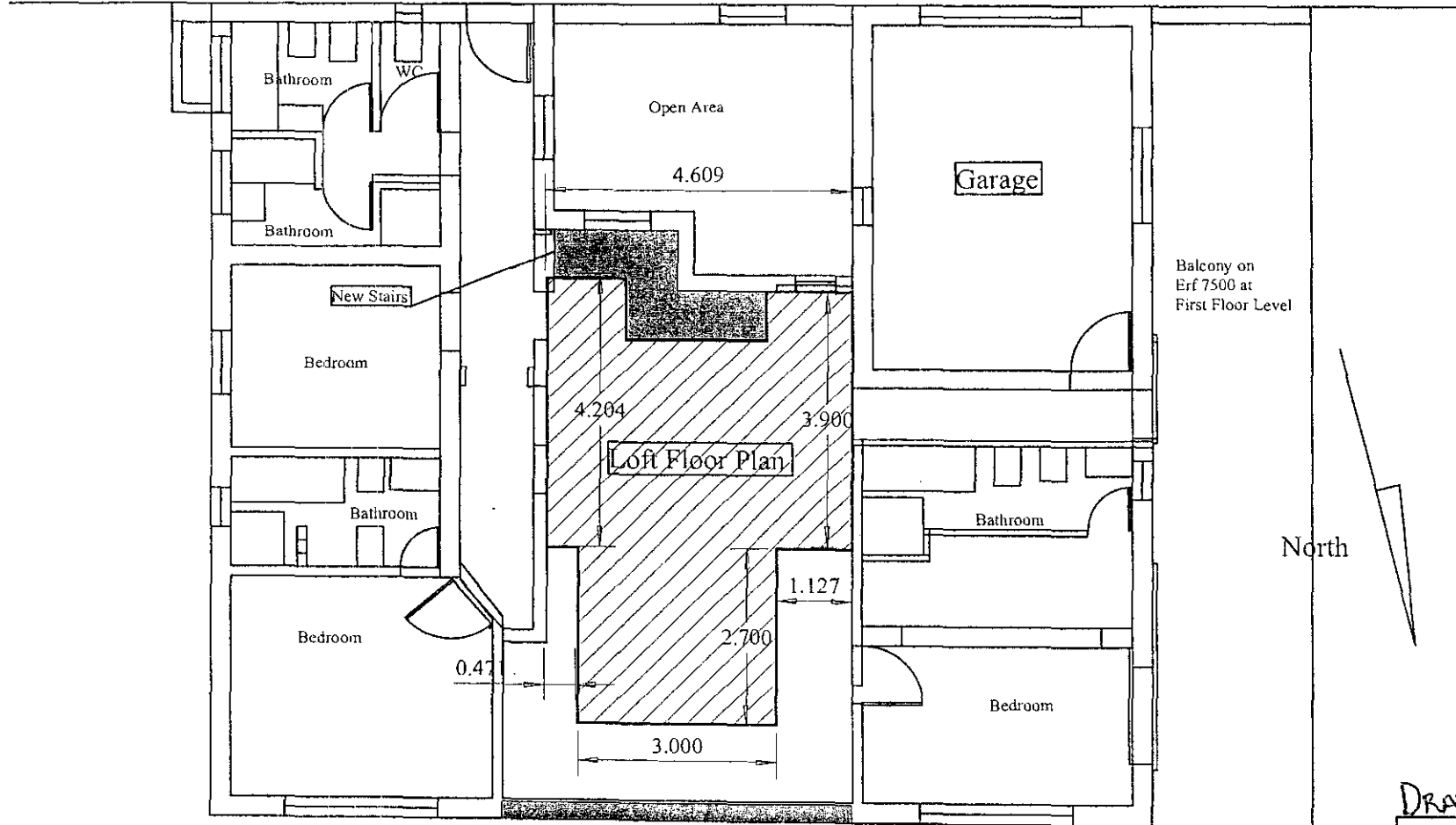
Designed: B.L.Gray

Drawn: B.L.Gray

Engineer: Colin K Davies

Proposed Loft to Dwelling on Erf 7499

Simons Town Road



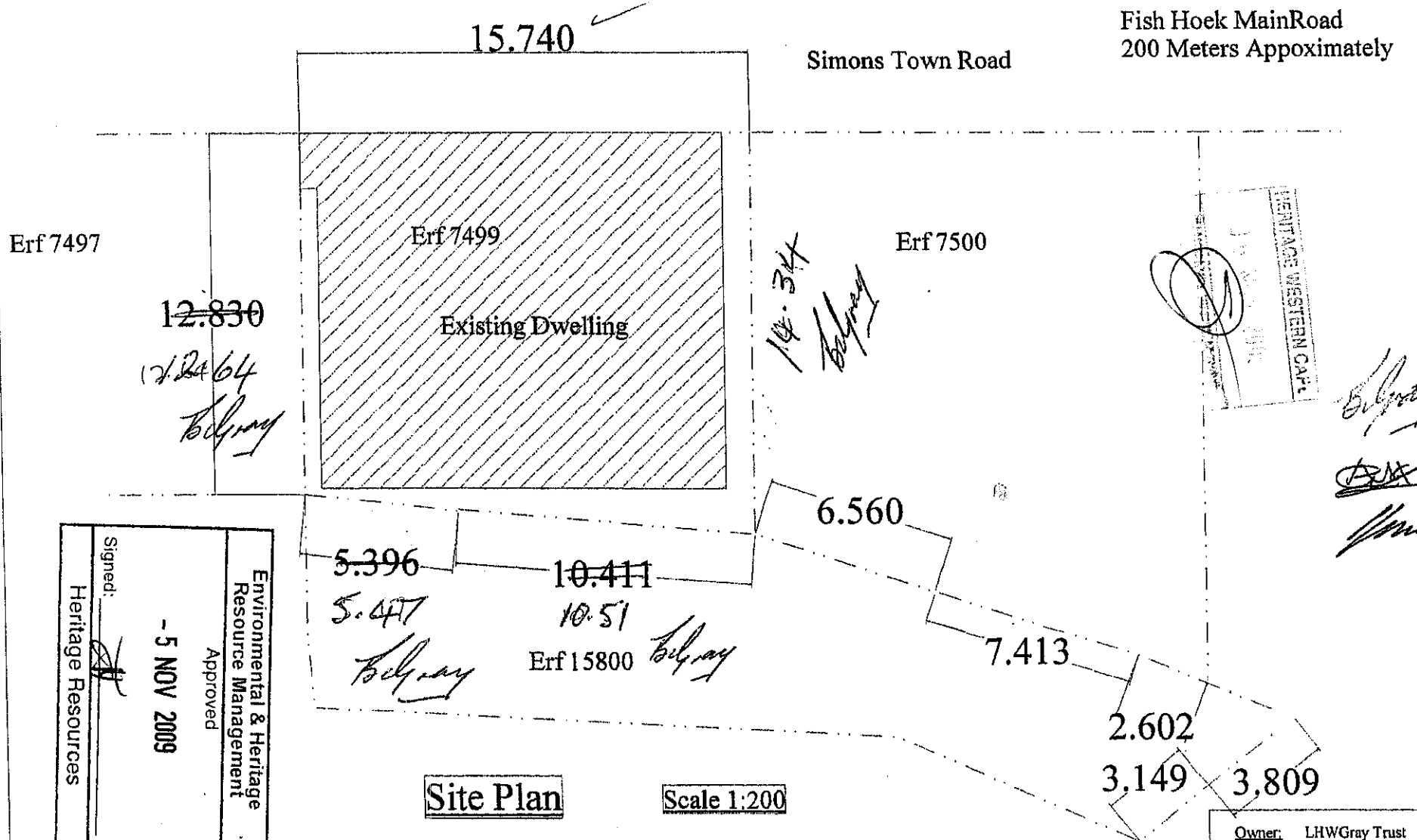
First Floor

Scale 1:100

Floor Plan - 25 square meters

DRAWING No: 103

Date:	25th October 2010
Owner:	LHWGray Trust
Designed:	B.L.Gray
Drawn:	B.L.Gray
Engineer:	Colin K Davies



Signed: *[Signature]*
Heritage Resources

Environmental & Heritage
Resource Management
Approved
- 5 NOV 2009

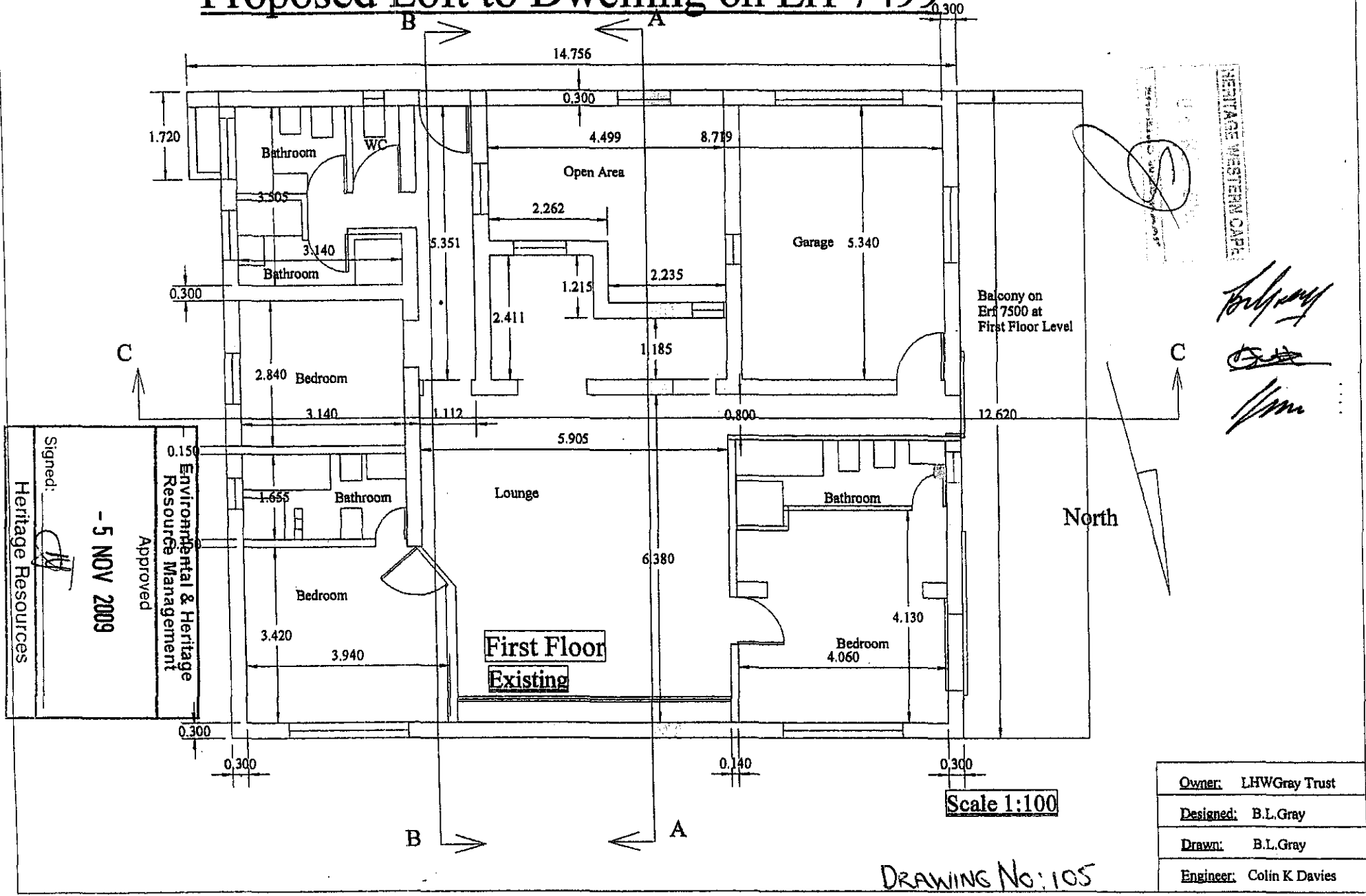
Site Plan **Scale 1:200**

Owner: LHWGray Trust
Designed: B.L.Gray
Drawn: B.L.Gray
Engineer: Colin K Davies

DRAWING No: 104

ANNEXURE

Proposed Loft to Dwelling on Erf 7499



HERITAGE WESTERN CAPT

Handwritten signatures and initials

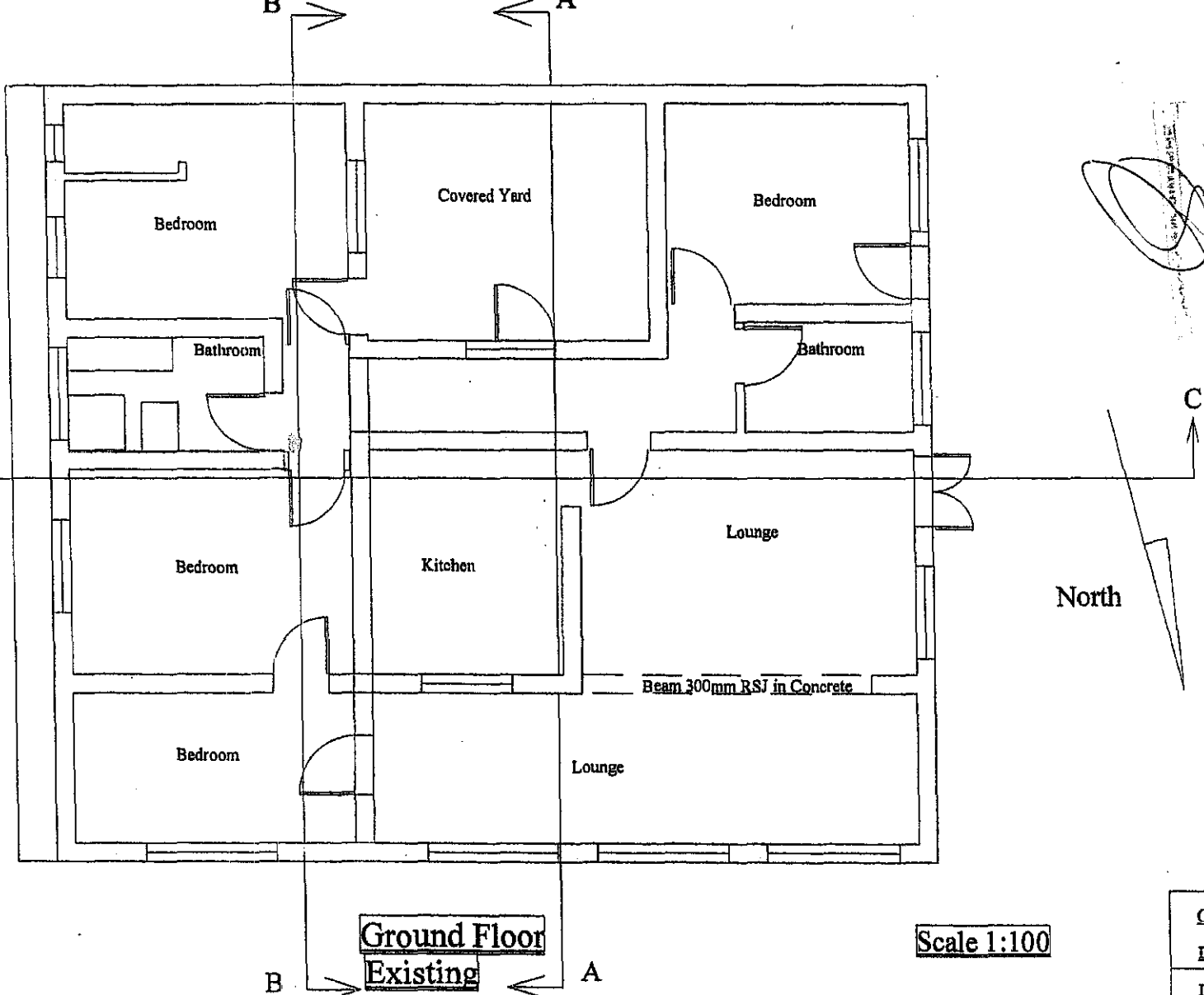
North

Signed: *[Signature]*
 Heritage Resources
 - 5 NOV 2009
 Environmental & Heritage
 Resources Management
 Approved

Owner:	LHWGray Trust
Designed:	B.L.Gray
Drawn:	B.L.Gray
Engineer:	Colin K Davies

DRAWING No: 105

Proposed Loft to Dwelling on Erf 7499



HERITAGE WESTERN CAPE

North

B.L. Gray
Colin K. Davies

Ground Floor
Existing

Scale 1:100

DRAWING No: 106

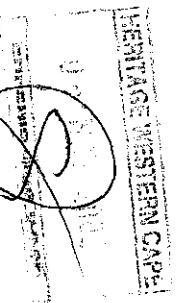
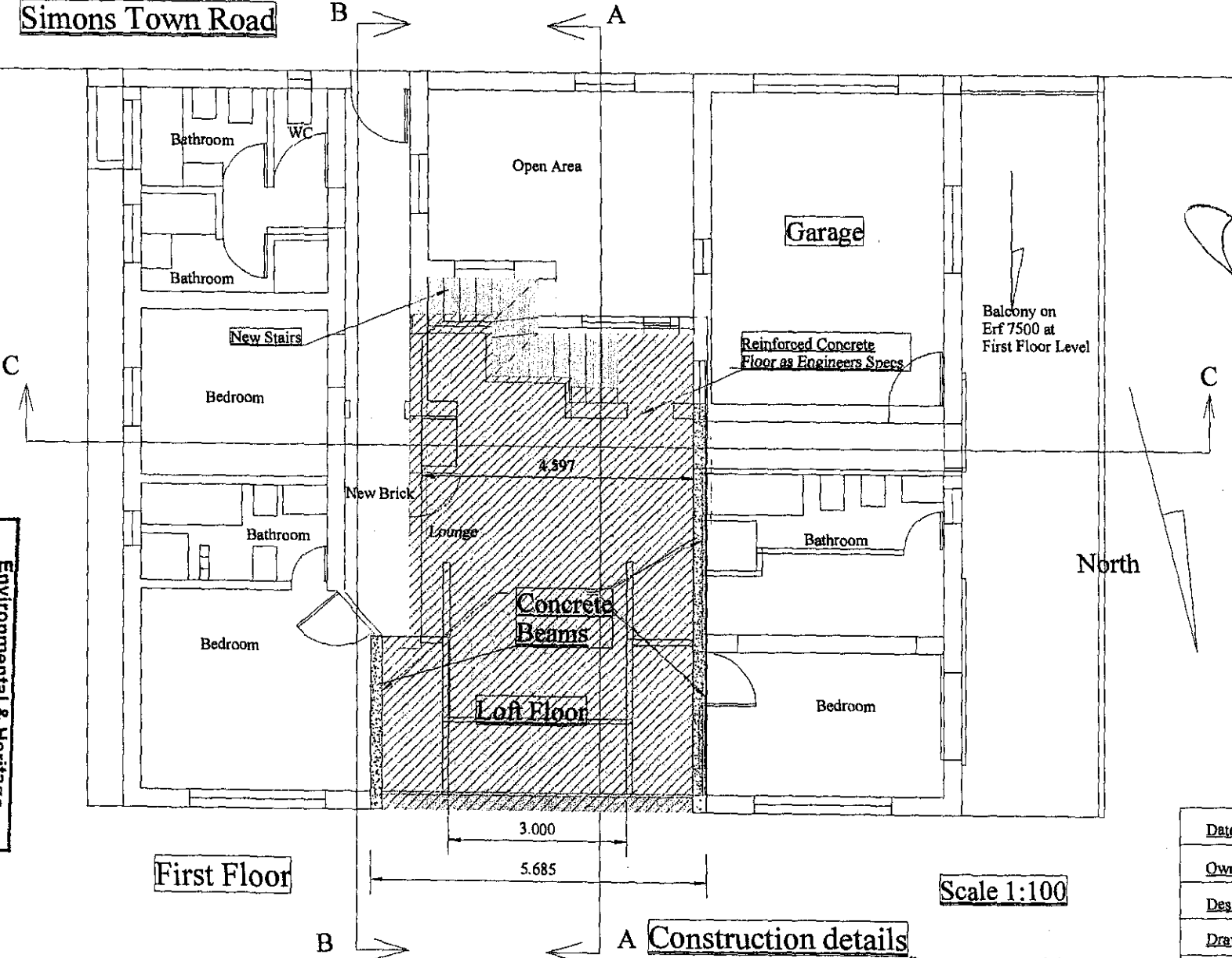
Owner:	LHWGray Trust
Designed:	B.L.Gray
Drawn:	B.L.Gray
Engineer:	Colin K Davies


Signed: *[Signature]*
 Heritage Resources

Environmental & Heritage
 Resource Management
 Approved
 - 5 NOV 2009

Proposed Loft to Dwelling on Erf 7499

Simons Town Road



Signed: 
 Environmental & Heritage
 Resource Management
 Approved
 - 5 NOV 2009

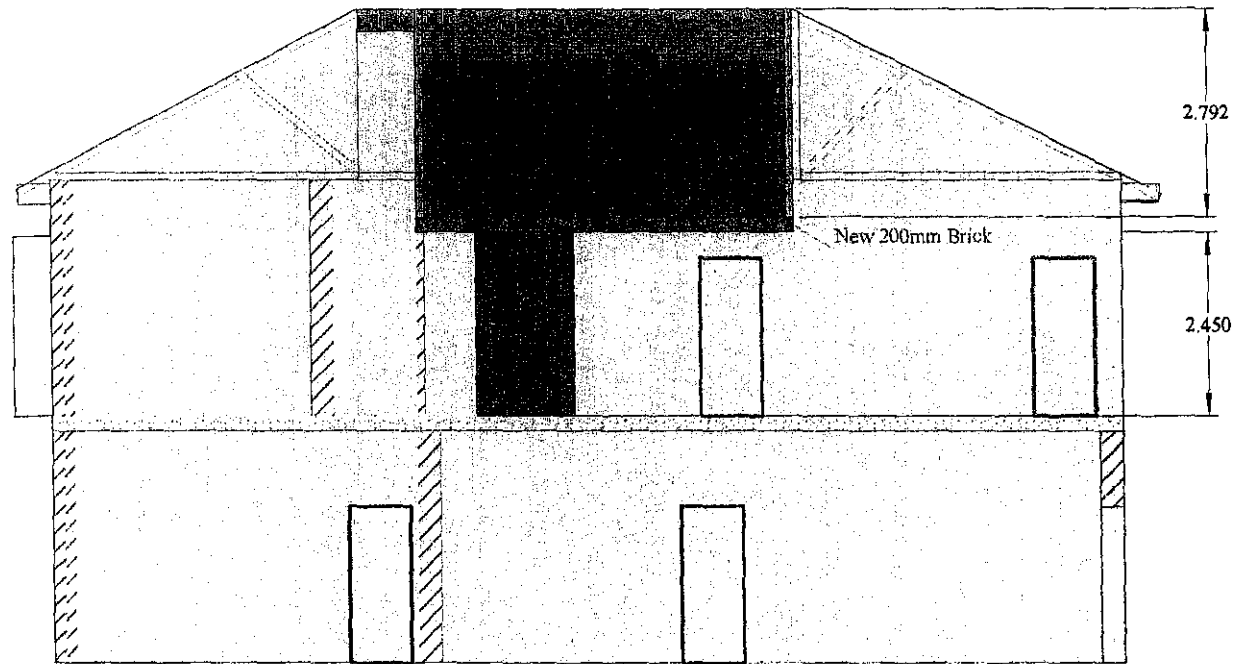
Date:	4th November 2009
Owner:	LHWGray Trust
Designed:	B.L.Gray
Drawn:	B.L.Gray
Engineer:	Colin K Davies

Scale 1:100

Construction details

DRAWING No: 107

Proposed Loft to Dwelling on Erf 7499



HERITAGE WESTERN CASE
 17 NOV 2009

Section through C-C

Scale 1:100

Signed: *[Signature]*
 Heritage Resources

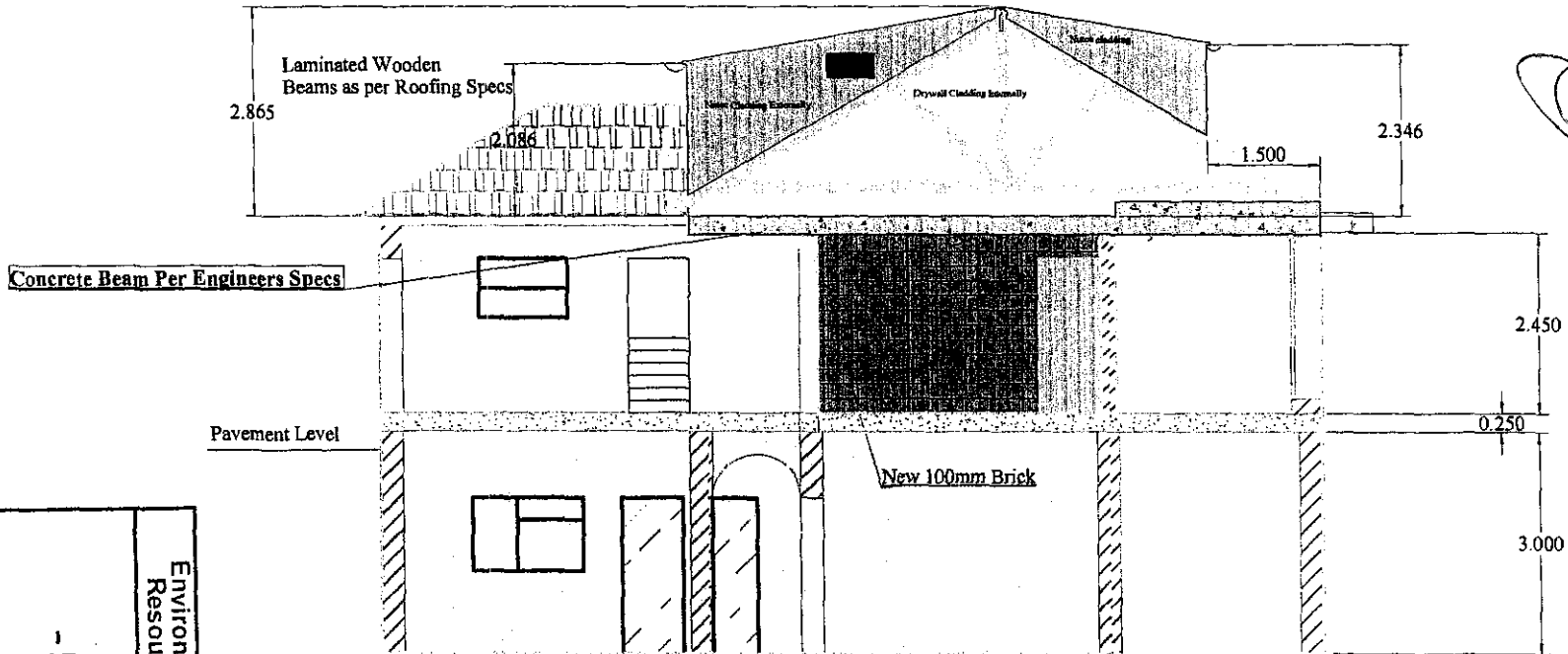
Environmental & Heritage
 Resource Management
 Approved
 - 5 NOV 2009

Date:	4th November 2009
Owner:	LHWGray Trust
Designed:	B.L.Gray
Drawn:	B.L.Gray
Engineer:	Colin K Davies

DRAWING No: 108


Proposed Loft to Dwelling on Erf 7499

IBR Steel Roofing with Thermal Insulation beneath
Highest point to be at existing roof height and with 10 degree fall.



Section through B-B

Scale 1:100

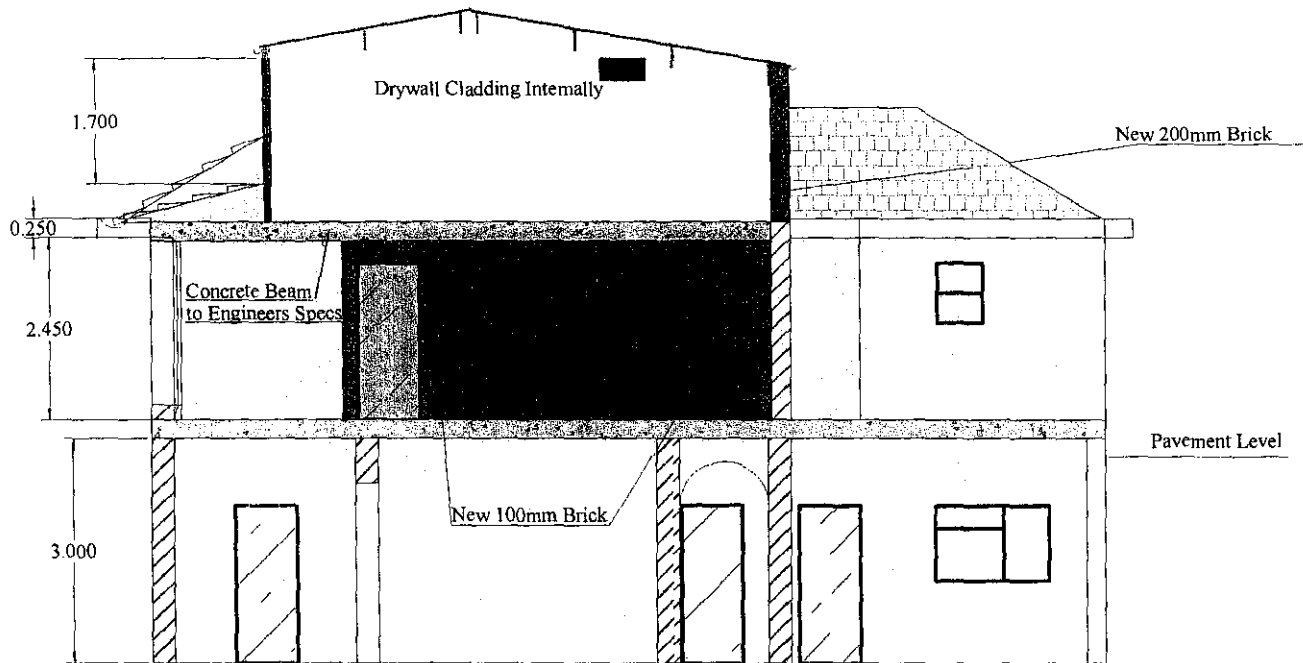
Heritage Resources	Signed: 
	- 5 NOV 2009
Environmental & Heritage Resource Management	
Approved	

Date:	4th November 2009
Owner:	LHWGray Trust
Designed:	B.L.Gray
Drawn:	B.L.Gray
Engineer:	Colin K Davies

DRAWING No: 109

Proposed Loft to Dwelling on Erf 7499

IBR Steel Roofing with Thermal Insulation beneath
Highest point to be at existing roof height and with 10 degree fall.



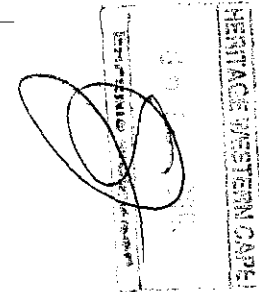
Section through A-A

Scale 1:100

Signed: *[Signature]*
Heritage Resources

- 5 NOV 2009

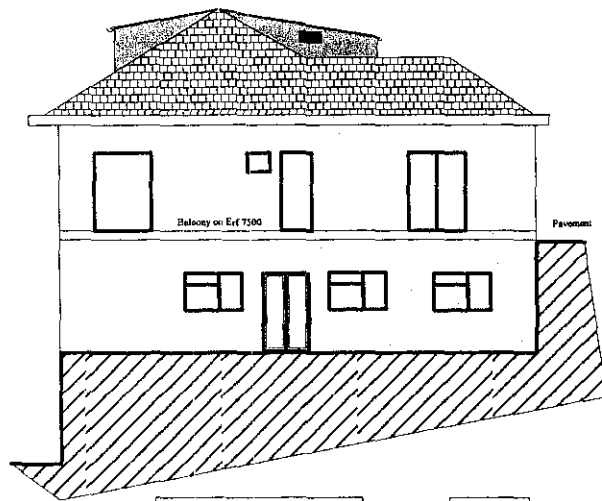
Environmental & Heritage
Resource Management
Approved



Date:	4th November 2009
Owner:	LHWGray Trust
Designed:	B.L.Gray
Drawn:	B.L.Gray
Engineer:	Colin K Davies

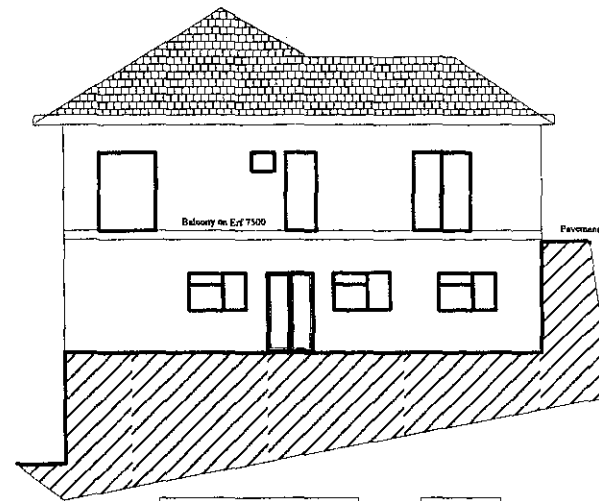
DRAWING No: 110

Proposed Loft to Dwelling on Erf 7499



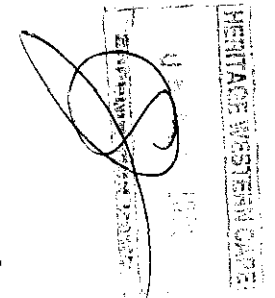
West Elevation Proposed


Scale 1:200



West Elevation Original

Scale 1:200

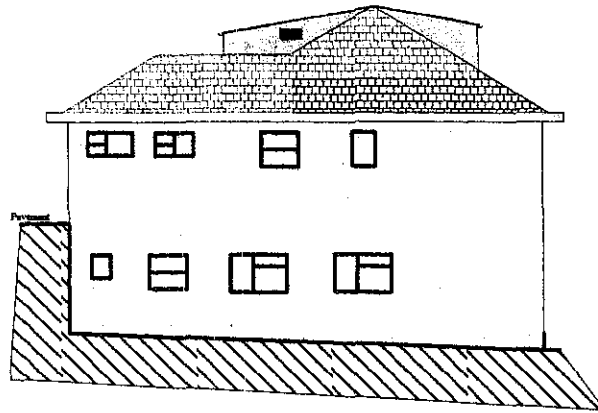


Signed: 
 - 5 NOV 2009
 Approved
 Environmental & Heritage
 Resource Management
 Heritage Resources

Date:	4th November 2009
Owner:	LHWGray Trust
Designed:	B.L.Gray
Drawn:	B.L.Gray
Engineer:	Colin K Davies

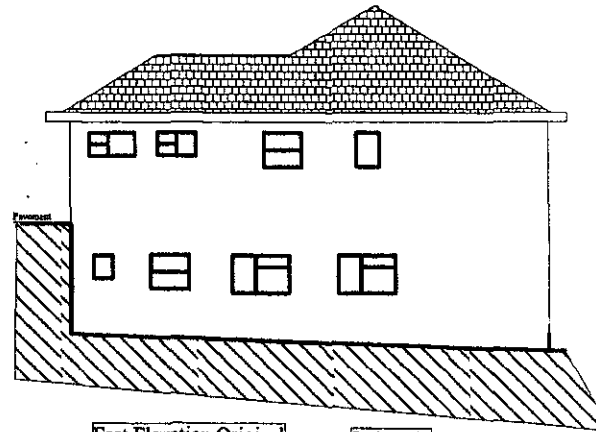
DRAWING No: 111

Proposed Loft to Dwelling on Erf 7499



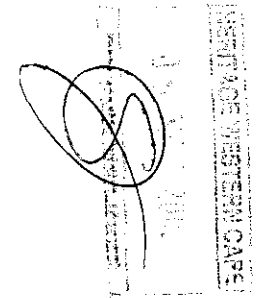
East Elevation Proposed


Scale 1:200



East Elevation Original

Scale 1:200

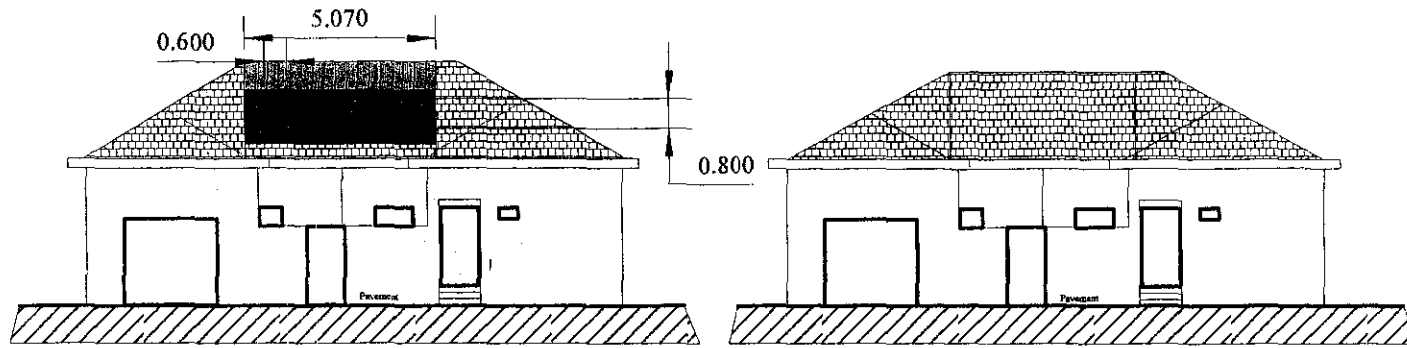


Environmental & Heritage
Resource Management
Approved
- 5 NOV 2009
Signed: 
Heritage Resources

Date:	4th November 2009
Owner:	LHWGray Trust
Designed:	B.L.Gray
Drawn:	B.L.Gray
Engineer:	Colin K Davies

DRAWING No: 112

Proposed Loft to Dwelling on Erf 7499

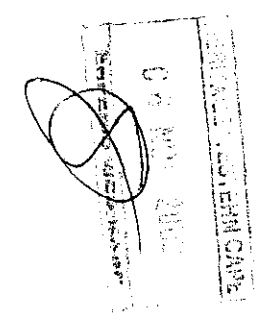


South Elevation Proposed

Scale 1:200

South Elevation Original

Scale 1:100

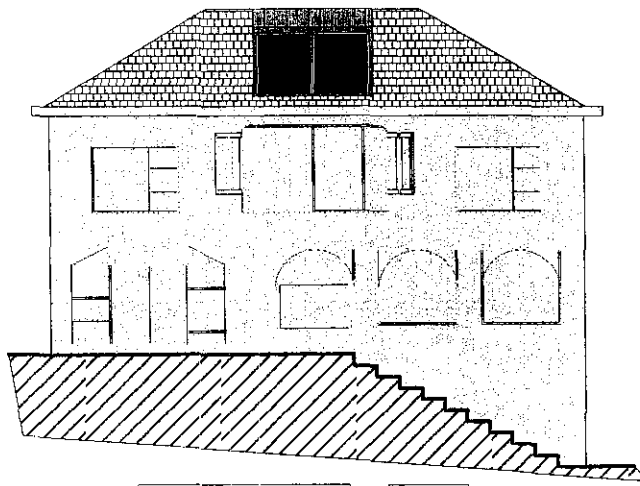


Environmental & Heritage
 Resource Management
 Approved: _____
 - 5 NOV 2009
 Signed: _____
 Heritage Resources

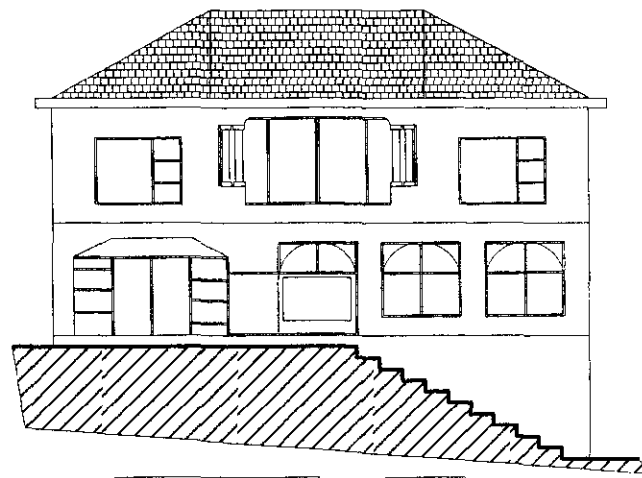
Date:	4th November 2009
Owner:	LHWGray Trust
Designed:	B.L. Gray
Drawn:	B.L. Gray
Engineer:	Colin K Davies

Drawing No: 113

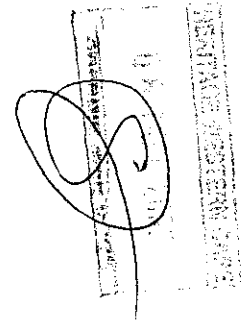
Proposed Loft to Dwelling on Erf 7499




North Elevation Proposed Scale 1:200



North Elevation Original Scale 1:200



Signed: 
 Heritage Resources
 - 5 NOV 2009
 Approved
 Environmental & Heritage
 Resource Management

Date:	4th November 2009
Owner:	LHWGray Trust
Designed:	B.L.Gray
Drawn:	B.L.Gray
Engineer:	Colin K Davies

DRAWING No: 114

and the said Appearer declared that on the 27th day of September 1980 the said Transferor Company

had truly and legally sold, and that he, in his capacity aforesaid, did by these presents cede and transfer, in full and free property, to and on behalf of

THE ADMINISTRATORS IN THE ESTATE OF
THE LATE LESLIE HAROLD WILLIAM GRAY

- WHITE GROUP -

or their assigns;

A one-half (½) share in:

CERTAIN land situate in the Municipality of Fish Hoek, Cape Division, being the remainder of Erf 7499 Fish Hoek.

MEASURING: TWO HUNDRED AND FIVE (205) square metres.

EXTENDING as the Deed of Transfer with a Diagram annexed, made in favour of F D P Chaplin on the 28th March 1919, No. 2509, and subsequent Deeds of Transfer the last of which made in favour of the Transferor Company dated 12th September 1973, No. 26022, will more fully point out.

- A. SUBJECT to such conditions as are referred to in said Deed of Transfer No. 26022 dated 12th September 1973.
- B. SUBJECT FURTHER to the special conditions annexed to the said Deed of Transfer No. 2509 dated 28th March 1919, marked X referring to:

(a) /

DEED TRANSFER ONLY
TO BE USED FOR THE PURPOSES OF THE DEED

WHITE GROUP
BLANKE GROEP

- (a) and (b) Water rights.
- (c) and (d) Maintenance of pipe lines, etc.
- (f) Erection of buildings.
- (g) Passages on General Plan and drainage.
- (h) Noisome or injurious or objectionable trade or business.
- (i) Rights of sewerage and drainage.
- (j) Lots to be used for residential purposes.

ENTITLED

C. ~~SUBJECT FURTHER~~ to the terms of an endorsement in Deed of Transfer No. 4479 dated 10th March 1966, namely:

Registration of Servitude

By Notarial Deed No. 174 dated 15th February 1966 the within property measuring Two Hundred and Five (205) square metres is entitled to certain rights, relating to limitation on height of building, erected on the adjoining Erf 7500 measuring Two Hundred and Forty Six (246) square metres (held by C.R.T. No. 4478 registered this day), within Two comma Five Two (2,52) metres of the boundary common thereto and to a right of access over the said Two comma Five Two (2,52) metre strip, as more fully set out in said Notarial Deed.

Wherefore/.....

FOR INFORMATION ONLY
 INGEWASSENDENDE UITGEREIK

11

4

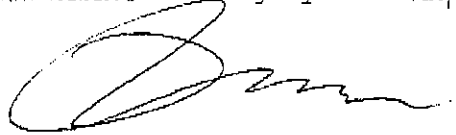
Wherefore the Appearer renouncing all the right and title the said
 Transferor Company
 heretofore had to the premises, did, in consequence, also acknowledge the said
 Transferor Company
 to be entirely dispossessed of, and disentitled to, the same: and that, by virtue of these presents,
 the said Transferees

or their assigns is and henceforth
 shall be entitled thereto, conformably to local custom, the State, however, reserving its rights;
 and finally acknowledging the said Transferor Company to be
 satisfactorily paid and/or secured the whole of the purchase price amounting to the sum of

R34 700,00 (THIRTY FOUR THOUSAND SEVEN HUNDRED RAND)

In Witness whereof I, the said Registrar, together with the Appearer, q.q., have
 subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

Thus done and executed, at the Office of the Registrar of Deeds, at Cape Town, on this
9th Day of the Month of *February*
 in the Year of our Lord One Thousand Nine Hundred and *eighty-one* (1981).



ISSUED FOR INFORMATION ONLY
 AFGEWENDE VOOR INFORMATIE DOEL ENDE UITGEREIK

In my presence,

q.q.

Registered in the *Even.*
 Register of *Fish Hoek*
 Book Folio *7499*

Clerk in Charge.

E W Mouton

Certified a true copy of the original filed
 of record in this Registry in terms of
Reg 66
 Deeds Registry
 Cape Town
11/11/2010
[Signature]
 Registrar of Deeds

REGISTRAR OF DEEDS

J. ... - Duty Register No.
 1831
 CAPE TOWN
 4 DECEMBER 1980 for
 BULL-00.
 Mortgage Certificate
 FISH HOEK
 MUNICIPALITY
 30-6-81
 Checked: 1 *[Signature]*
 2 *[Signature]*

VIR ENDOSSEMENTE KYK BLADSY FOR ENDORSEMENTS SEE PAGE 5 ET SEQ.

BC 26622 /1978
CANCELLED
GEKANSELLEER 1978-12-15
REGISTRAR.
REGISTRATEUR.

735
1-7-1946

6/12/1919
6/6/1941

11478/56
47/1957
75000-243999 H.

20679 H.
10-3-1966

10226
1946

DEED OF TRANSFER.

BY VIRTUE OF A POWER OF ATTORNEY. Prepared by me.

[Signature]
Conveyancer.

Know all men whom it may concern.

That GERALD JAMES O'REILLY

appeared before me, Registrar of Deeds. He, the said Appearer, being duly authorised thereto by a power of Attorney executed at FISH HOEK on the 10 day of June 1946, by

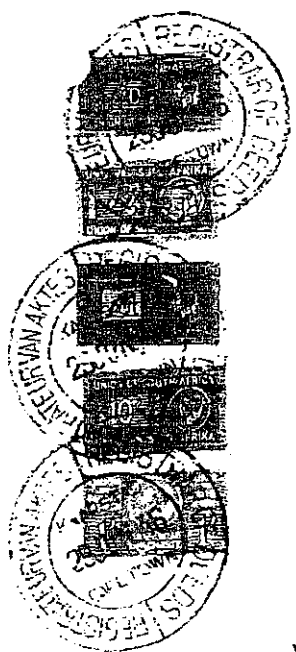
ALBERT EDWARD MAGINESS

Born 15th June, 1894.

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ALLEEN VIR INFORMASIEDOELLEINDES UITGEREIK

MICRO FILMED—MIKROVERFILM	
DATE—DATUM	OPER TOR—OPERATEUR

which power, witnessed in accordance with law, was exhibited to me on this day; And the Appearer declared that his said Principal had truly and legally sold on 19th May, 1946. and that He, in his capacity as attorney aforesaid did by



those presents, cede and transfer, in full and free property to and on behalf of:

3/10/12

LESLIE HAROLD WILLIAM GRAY, born on 11th June, 1907
on 16 August 1904
and THELMA EUGENIE GRAY, born GRAY, married to each
other out of community of property
(in equal shares).

Their Heirs, Executors, Administrators or Assigns

CERTAIN piece of land situate in the
Municipality of FISH HOEK, in the CAPE DIVISION, being
Erf No. 7499 FISH HOEK.

MEASURING thirty one (31) square rods and
eighty two (82) square feet.

EXTENDING as the Deed of Transfer with a
diagram annexed made in favour of F. D. P. CHAPLIN
on the 28th March, 1919 (No. 2509), and subsequent
Deeds of Transfer the last of which made in favour
of the Appearer's Constituent on the 11th June, 1943
(No. 6843) will more fully point out:-

SUBJECT to such conditions as are referred
to in Certificate of Registered Title No. 5147 dated
5th June, 1918.

FURTHER subject to the special conditions
annexed to the said Deed of Transfer No. 2509 dated
28th March, 1919 marked X referring to:-

- (a) and (b) Water Rights.
- (c) and (d) Maintenance of pipe lines, etc.
- (e) Prohibition of occupation by "coloured people".
- (f) Erection of Buildings.

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ALLEEN VIR INFORMATIEDOELEINDES UITGEEK

(g) Passages.....

- (g) Passages on General Plan and drainage.
- (h) Noisome or injurious or objectionable trade or business.
- (i) Rights of Sewerage and drainage.
- (j) Lots to be used for residential purposes.

Mr. A. A. ... 1/3 Share in ...

10-3-1966

Applicant's ...

[Signature]

Registration of Servitude

Notarial Deed No. 144 dated 15th February 1966 the ...
... half share in the ... of the ...
... 2067 Square Feet ... as entitled ...
... limitation on the receipt ...
... 7500, measuring ...
... C.R.P. No. 4478 registered this ...
... part of the boundary ...
... access ... the road ...
... now fully set out in ...
Notarial Deed, 10-3-1966

Accords Officer
Cape Town

[Signature]
Ro. ... of ...

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 ALLEEN VIR INFORMASIEDELENDES UITGEREIK

7
App. De 8328/29
App. De 8328/29
App. De 8328/29

Wherefore the Appearer, renouncing all the Right and Title his Principal heretofore had to the premises on behalf as aforesaid, and in consequence, also acknowledge his said Principal, as aforesaid to be entirely dispossessed of, and disentitled to the same; and that by virtue of these Presents, the said

TRANSFEREES IN EQUAL SHARES

Their Heirs, Executors, Administrators, or Assigns, now are and henceforth shall be entitled thereto conformably to local custom, Government, however reserving its Right; and finally acknowledging his Principal to have been satisfactorily paid the whole of the purchase money amounting to a sum of Five Thousand Pounds (£5,000)

upon which amount transfer duty has been paid, and upon a further amount of £112 in respect of drainage charges.

In Witness whereof, I, the said Registrar, together with the Appearer, have subscribed to these presents, and have caused the Seal of Office to be affixed thereto.

Thus done and executed at the Office of the Registrar of Deeds, at CAPE TOWN on the 12th Day of the Month of July in the year of Our Lord, One Thousand Nine Hundred and Forty Six (1946).

G. J. O'Neill
9-9

In my presence

[Signature]
Registrar of Deeds

Registered in the Erve Register

of Fish Hook Book 2 folio 7499-(6)

G. J. O'Neill
Officer in Charge.

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ALLEN VIR INFORMASIEDOELLEINDES UITGEBEIK

BLADSY/PAGE 5

ENDOSSEMENT OP
ENDORSEMENT ON T10226/1946

EIENDOM/PROPERTY Edf 7499
Fush Hoek

Share of L.H.W. Gray in Remainder

SECTION 47, ACT No. 28 OF 1973
ARTIKEL 47, WET No. 28 VAN 1973

In terms of the joint will of the late
Kragtons gesamenlike testament van wyle LESLIE HAROLD
and surviving spouse
en-negatiewe eggenote WILLIAM GRAY

dated 23-9-1966 + *codicil dated 23-10-1973*

the within-mentioned property is to be administered by the Administrator subject to the terms of
het die Administrateur die reg o u met die hierinvermelde eiendom te handel onderhawig aan die
the said will, a copy whereof is filed with
bepalings van die gemelde testament waarvan 'n afskrif by T 32734/1978 berus.

1978 - 12 - 15 *[Signature]*
Deeds Office,
Aktekantoor,
Cape Town/Kaapstad.
Registrar/Asst.-Registrateur.

Remainder

DE BEHEER VAN 'N EIGENDOM
THE ADMINISTRATION OF A PROP-
ERTY

205 sq. METERS*
205 sq. METRES*

1978 - 12 - 15 *[Signature]*
Deeds Office,
Aktekantoor,
Cape Town/Kaapstad.
Registrar/Asst.-Registrateur.

Remainder Share of T.E. Gray

SECTION 40, ACT No. 66 OF 1965
ARTIKEL 40, WET No. 66 VAN 1965

In terms of the joint will of the late
Kragtons gesamenlike testament van wyle THELMA EUGENIE GRAY
and surviving spouse
en-negatiewe eggenote

dated 19th February 1981

the within-mentioned property is to be administered by the Administrator subject to the terms of
het die Administrateur die reg o u met die hierinvermelde eiendom te handel onderhawig aan die
the said will, a copy whereof is filed with
bepalings van die gemelde testament waarvan 'n afskrif by T 42716/86 berus.

Deeds Office,
Aktekantoor,
Cape Town/Kaapstad.
Registrar/Asst.-Registrateur.

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ALLEN VIR INFORMASIE DOEL ENDES UITGEREIK

CONVEYANCER'S CERTIFICATE

I / we, ROSHANA SOLOMON
 (conveyancer's name)

hereby wish to certify that a search was conducted in the Deeds Registry, Cape Town regarding the following property(ies) (including both current and earlier title deeds / pivot deeds / deeds of transfer) :

ERF 7499 Fish Hoek held by Title
Deed number T10226/1946

(property description(s))

in respect of which it was found that there ~~are~~ are no restrictive conditions registered against such property(ies) prohibiting it from being utilised / developed for the following purposes (as elaborated on in more detail in the accompanying application) :

Building Height on Erf 7499
 (proposed use / development / zoning of property)

(* please delete whichever not applicable)

LIST OF RESTRICTIVE TITLE CONDITIONS (if applicable)

Deed no	Clause no	Description

PROCESS BY WHICH RELEVANT CONDITIONS WILL BE ADDRESSED
 (please tick appropriate box)

Removal / suspension / amendment of restrictions in terms of Act 94/1987 (Submit separate application)	Notarial Deed of Cancellation (Submit copy of signed agreement)	Consent (Submit copy of signed consent)	Expungement by means of 'rule nisi' application to High Court (Submit copy of Court order)
-----------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------	--------------------------------------------	-----------------------------------------------------------------------------------------------

Signed at Fish Hoek on this 29 day of July 2009
 Signature [Signature]

Kindly endorse certificate by affixing firm's official stamp here and initialing it.

ROSHANA SOLOMON
 COMMISSIONER OF OATHS
 PRACTISING ATTORNEY CONVEYANCER
 REPUBLIC OF SOUTH AFRICA
 26 FIRST AVENUE, FISH HOEK, CAPE

CITY OF CAPE TOWN
 RECEIVED
 31 JUL 2009
 PLANNING & BUILDING
 DEVELOPMENT MANAGEMENT

CONVEYANCERS CERTIFICATE

I, the undersigned,

ROSHANA SOLOMON

A Conveyancer practicing at Smith Tabata Buchanan Boyes Attorneys, 26 First Avenue, Fish Hoek, do hereby certify;

THAT I have conducted a Deeds Office search over:

The following property, namely:

- a) Erf 7499 Cape Town at Fish Hoek
In the City of Cape Town
Cape Division, Western Cape Province
In extent 205 (Two hundred and five) square
Hereinafter called the Dominant tenement

HELD BY DEED OF TRANSFER NO. T 5889/1981

- b) Erf 7500 Cape Town at Fish Hoek
In the City of Cape Town
Cape Division, Western Cape Province
In extent 246 (Two hundred and forty six) square metres

HELD BY DEED OF TRANSFER NO. T T4478/1966

Hereinafter called the Servient tenement

THAT there are prohibitions on the above stated properties relating to height and boundary restrictions contained in Notarial Deed of Servitude K174/66S, which conditions read as follows:


SUBJECT to the condition that a servitude be granted by the Grantors, as owners of and over the Servient tenement in favour of the dominant tenement in regard to the height of any building to be erected on the Servient tenement and in regard to a right of access there over from the Main road Fish Hoek to the Dominant tenement and it is desired to record the terms and conditions of such servitude, and also the right of pre-emption hereinafter mentioned.

SUBJECT to the conditions that no building exceeding 9 feet in height above the floor level of the lower flat already existing on the Dominant tenement, shall be erected on the Servient tenement within a distance of 8 feet of the common boundary between the said two erven; and in the aforesaid width of 8 feet of the common boundary between the said two erven, there shall be a right of access over the Servient tenement in favour of the dominant tenement from the main road, Fish Hoek to the said dominant tenement, along such route as may be agreed upon from time to time by the registered owners of the two properties aforesaid, provided that the steps presently on the Servient tenement shall not be removed without the consent in writing of the owners of the respective properties.

SUBJECT to the conditions contained in Annexure X annexed to Deed of Transfer dated 28 March 1919 which reads as follows:

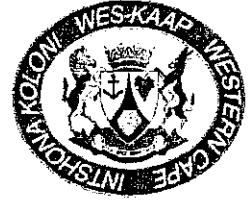
The Purchasers shall be obliged to set back any building or buildings to a line of building frontage which shall be not less than ten feet from the boundary line between the Road and the Property in each street, so as to form a forecourt or garden in front of any building, provided that within such forecourt the purchaser may, if he so desires, erect or construct a stoep, verandah or balcony.

THUS DONE AND SIGNED at FISH HOEK this 18 day of February 2010


CONVEYANCER
R.SOLOMON



DEPARTMENT OF TRANSPORT AND PUBLIC WORKS
 DEPARTEMENT VAN VERVOER EN OPENBARE WERKE
 ISEBE LEZOTHUTHO NEMISEBENZI YOLUNTU



Reference: 13/3/5/1-35/352 (JOB 18037)

Verwysing:
 Isalathiso:

Enquiries: A. Mtise
 Navrae:
 Imibuzo:

City of Cape Town
 District H
 Private Bag X5
 PLUMSTEAD
 7801



Attention: Mr N.B. Woollam

Dear Sir

ERF 7499, FISH HOEK, SIMON'S TOWN ROAD (PMR 101): BUILDING LINE RELAXATION: ATTIC

1. Your LUM/35/7/7499(Vol 1) of 30 March 2010, Application No 169907.
 - 1.1 Thank you for including the comments of your Traffic Engineer W16-7499 of 14 August 2009.
2. Of concern is that this Branch has no record of the "previous advertisings" of 12 December 2008 and 20 July 2009 and no knowledge, therefore, of the contents of the "valid objections" referred to in your letter of paragraph 1 above.
3. The several Departures applied for are matters for your Administration.
4. Cognizance is taken of the fact that virtually half of the existing building on the above property falls within the PMR 101 Road Widening Scheme Reserve and its 5m Building Line and the approval in paragraph 5 below, therefore, is only for the new construction of a loft generally as shown on the undated unnumbered sketches by B.L. Gray which accompanied your letter.
5. This Branch, in terms of Section 17 of the Road Ordinance, 1976 (Ordinance 19 of 1976), approves the above-mentioned application for relaxation of the building line from 5m to 0.0m for a loft on PMR 101 and within the reserve of the PMR 101 Road Widening Scheme, subject to the following:
 - 5.1 Before the commencement of any building work the local authority shall ensure that :

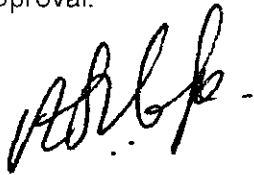
- (a) the legally registered property owner and the relevant road authority, in this case the City of Cape Town, enter into a non-compensation agreement concerning these proposed alterations to indemnify the road authority against all claims of whatsoever nature, including legal costs, as a result of any costs incurred and or loss suffered in the event of this approved building work needing to be removed as a result of any infrastructure improvements deemed necessary by the road authority;
- (b) this non-compensation agreement is included in a notarial deed of restraint of sale attached to the Title Deed of the above property preventing the registered owner of the property from disposing of it until the intended future owner has furnished the local authority with a similar non-compensation agreement;
- (c) a certified copy of the amended Title Deed is lodged with this Department, and
- (d) receipt of the certified copy of the amended Title Deed is acknowledged by this Department.

6. This approval shall:

- 6.1 be taken to deal only with the above section of the Ordinance and shall not be construed as authority to depart from any other legal provision and
- 6.2 become invalid unless the local authority issues final authority for the building work within 12 months from the date hereof and bona fide work is commenced within 12 months from date of that authority.

7. Any changes to the structures within the 5m building line that may require modification to the official building plans after this Branch's approval shall render such approval null and void, in which case, a revised application with amended building plans shall be submitted to this Branch for approval.

Yours faithfully,



EXECUTIVE MANAGER: ROAD AND TRANSPORT MANAGEMENT

Date: 11 MAY 2010

ANNEXURE 6



Ilifa leMveli leNtshona Koloni
Erftenis Wes-Kaap
Heritage Western Cape

Date: 6/11/2009

Our Reference: HM/ FISH HOEK / ERF 7499

Heritage Western Cape herewith informs:

BERNARD LESLIE GRAY

RECORD OF DECISION

Of its intention to grant a permit in terms of
Section 34 of the National Heritage Resources Act (Act 25 of 1999)
And Regulation 3(3)(a) of Provincial Notice 298 (29 August 2003)

FOR: ALTERATIONS AND ADDITIONS

AT: 15/13 SIMONSTOWN ROAD, FISH HOEK

ERF: 7499

DECISION:
APPROVED: NOT APPROVED:

IN ACCORDANCE WITH DRAWINGS:

No: NO NUMBERED

Dated: NOT DATED HWC Date Stamped: 6/11/2009

By: B.L. GRAY

CONDITIONS: NONE

GRADING: GRADE: UNGRADED
CONSERVATION AREA: INSIDE: OUTSIDE:

NOTE:

- This decision is subject to an appeal period of 14 working days.
- The applicant is required to inform any party who has expressed a bone fide interest in any heritage-related aspect of this record of decision. The appeal period shall be taken from the date of being informed. It should be noted that for an appeal to be deemed valid it must refer to the decision, it must be submitted by the due date and it must set out the grounds of the appeal. Appeals must be addressed to the official named above and it is the responsibility of the appellant to confirm that the appeal has been received within the appeal period.
- Work may not be initiated during this 14 day appeal period.
- If any archaeological material or evidence of burials is discovered during earth-moving activities all works must be stopped and Heritage Western Cape must be notified immediately.
- This approval does not exonerate the applicant from obtaining any necessary approval from any other applicable statutory authority.
- An HWC STAMPED PLAN must be present on the site at all times and be produced on demand by a heritage inspector, building control official, or any person duly authorized to do so.

For the Accounting Officer: Heritage Resources Management Services
Pp Heritage Western Cape

HERITAGE WESTERN CAPE
06 NOV 2009
E-REGISTRATION

www.capegateway.gov.za/culture_sport



CITY OF CAPE TOWN : ISIXEKO SASAKAPA : STAD KAAPSTAD

3 Victoria Road
Plumstead 7800
Private Bag X5
Plumstead 7801
Tel: +27 21 710-8134
Fax: +27 21 710-8002

3 Victoria Road
Plumstead 7800
Private Bag X5
Plumstead 7801
Umnxeba: +27 21 710-8134
Ifaksi: +27 21 710-8002

Victoria Street 3
Plumstead 7800
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STRATEGY AND DEVELOPMENT — Environmental Resource Management

HERITAGE RESOURCES
COMMENTARY FORM

TO DESTROY, DAMAGE, DEFACE, EXCAVATE, ALTER OR REMOVE FROM ITS ORIGINAL POSITION, SUBDIVIDE OR CHANGE THE PLANNING STATUS OF A PROVINCIAL HERITAGE SITE, OR A PROVISIONALLY PROTECTED PLACE,
OR
ALTER OR DEMOLISH ANY STRUCTURE OR PART OF A STRUCTURE OLDER THAN 60 YEARS

OR
UNDERTAKE DEVELOPMENT CATEGORISED UNDER SECTION 38 (1) NATIONAL HERITAGE RESOURCES ACT, 1999
Protected in terms of the National Heritage Resources Act (Act 25 of 1999)

Southern Area based applications to HWC are to be accompanied by this form, to be completed by a Heritage Resources City official
Applications will be processed further once HWC has issued its decision

Updated 16 November 2006

APPLICATION NO:	ERF NO: 7499
Name of Applicant: LHW B.T. GRAY	Contact No:
Architect / Designer:	Contact No:

Address of property: 15/13 SIMONS TOWN RD
FISH HARBOR

Nature of proposed application:
ALTER TO HOUSE

The City of Cape Town Heritage Resources Section hereby...

Supports Does not support

the above application.

HERITAGE SIGNIFICANCE OF SITE

> 60 YRS. NOT
IN CONSERVATION AREA

Name: B. BENJAMIN
Official

Contact No. Official

Signature: [Signature]

Date: 5.11.05

Motivation for support or for withholding support

THE ALTERATION WILL HAVE MINIMAL IMPACT ON THE FORM & SCALE OF THE EXIST HOUSE AND ITS CONTEXT. [Signature]

ANNEXURE H

L.H.W.GRAY TRUST

Reg No 5083/77

15 Simons Town Rd

Fish Hoek

7975

Tele/Fax 27 021 7822674

E-mail: blgray@iafrica.com

20-July-2009

Department of Planning & Building Development Management
Development policy & Processes Branch
The Municipality of Cape Town

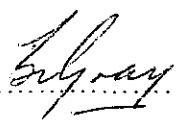
Re: Application to build a loft into existing roof on Erf 7499 in Fish Hoek

Attention Mr P Evard


Dear Sir/Madam

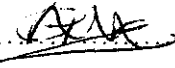
We, the Trustees of the LHW Gray Trust being the owner of Erf 7499 in Fish Hoek, on which there are, as recognized by the council, two self contained apartments, have resolved that Mr BL Gray is to represent the Trust regarding our application to build a lounge above the existing lounge on the top apartment, as indicated on the submitted plan. Each apartment has its separate entrance on to Simons Town Rd and consists of lounge, bedrooms, bathrooms and kitchen.

Trustees

Bernard L. Gray 

Brent G. Gray

Carl J. Gray 

Gina L. Nixon (Nee Gray) 

FISH HOEK VALLEY RATEPAYERS & RESIDENTS ASSOCIATION

(Incorporating Fish Hoek, Clovelly and Sun Valley)

P.O. Box 22125, Fish Hoek 7974 - Tel/Fax 021 785 1328

E-mail: jholwill@iafrica.com

4 May 2010

The District Manager
Department: Planning & Building Development Management
Private Bag X 5
Plumstead
7801

CITY OF CAPE TOWN
RECEIVED
- 6 MAY 2010

By Fax: 021 710 8283

Attention: Mr N B Woollam

Dear Sir

APPLICATION FOR DEPARTURES: ERF 7499 15 Simon's Town Road Fish Hoek.

We refer to your letter dated 30th March 2010 (date of registration 7/4/2010) requesting objections, if any, by 6 May 2010.

We consider the application to have a second dwelling with total floor space of 179sq.m. which considerably exceeds the 120sq.m. maximum to be excessive. Likewise the proposed coverage of a total floor space of 180% of the site area far exceeds the 66% maximum. Furthermore we are concerned about provision for parking. According to the plans included the only off street parking appears to be a single garage attached to the house and all further parking would have to be on Simon's Town road. This road is a busy main thoroughfare with limited parking only on the sea side. This proposed amount of accommodation will surely require the provision of more parking spaces.

With regard to section 8.1.1.1.6.3. As with our previous objection we object to the proposal to build a three storey structure in an area with a 2 storey height restriction. The new roof will not extend any higher than at present but the extent of the proposed alteration is in fact a third storey, not a loft in the roof space. This building is on a prominent scenic route and the visual impact is to be considered. The aesthetics of the north and south elevations may be acceptable but those of the east and west are not. The existing building previously exceeded the 8m maximum height. The plans on this application which appear to be the same as those previously submitted but now a mean ground line is indicated making the height of the building 7.962m. We wish to know how this mean ground line was established.

We object to the proposed departures.

Yours faithfully



Janet Holwill

Chairman Fish Hoek Valley Ratepayers and Residents Association.

Cc Ald N Holderness

....

ROB J PUTTICK

Residential

593 Seventh Road
Halfway Gardens x 19
MIDRAND
SOUTH AFRICA

Postal

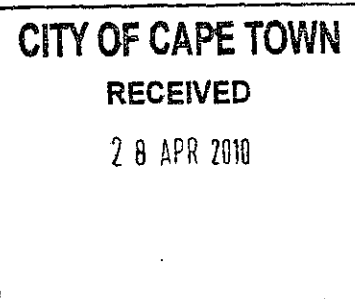
P.O. Box 11363
VORNA VALLEY
1686
SOUTH AFRICA

Telephone	Work	+27 11 265 4008
	Home	+27 11 805 2647
	Fax	+27 86 642 7477
	Cell	+27 83 255 4497
E-mail address		rob_puttick@hotmail.com robj@wbho.co.za (Work)

26-April-2010

City of Cape Town
Strategy & Planning
Department: Planning & Building Development Management
3 Victoria Street
PLUMSTEAD
7800

Private Bag X5
PLUMBSTEAD
7801



Attention: Mr. Newton

Dear Sir

REF: LUM 35/7499 (1)

APPLICATION: 169907

APPLICATION FOR DEPARTURES: ERF 7499 FISH HOEK, 15 SIMONSTOWN ROAD

OBJECTION BY PROPERTY OWNER ERF 7531

MR. RJ PUTTICK, 38 & 40 SIMONSTOWN ROAD, FISH HOEK

I herewith lodge my objection to the "Application for Departures" dated 30-March-2010. I herewith object to the existing non-conformance and the proposed attic addition.

- 1 **Section 5.4.1 To permit a second dwelling on a Single Residential zoned property.**
 1. I object to a second dwelling on the "Single Residential Property". The floor space will exceed the maximum floor space allowed by 49%. This will impact on the view from 38 & 40 Simonstown Road.
 2. There is no parking provided in these extensions for vehicles. Simonstown Road is intended for public parking, not residential.

- 2 **Non-Compliance with Provincial Notice P/N 1047/1998.**
 - 2.1 **For a second dwelling with a total floor space of 179m² which exceeds the 120m² maximum total floor space.**
 1. I object to a second dwelling on the "Single Residential Property". The floor space will exceed the maximum floor space allowed by 49%. This will impact on the view from 38 & 40 Simonstown Road.
 2. There is no parking provided in these extensions for vehicles. Simonstown Road is intended for public parking, not residential.

2.2 A building with a total floor space of 180% which exceeds the 66% minimum of total floor space.

1. I object to a second dwelling on the "Single Residential Property". The floor space will exceed the maximum floor space allowed by 49%. This will impact on the view from 38 & 40 Simonstown Road.
2. There is no parking provided in these extensions for vehicles. Simonstown Road is intended for public parking, not residential.
3. Should permission be granted, this will set precedence for multi storey structures exceeding two storeys to be erected in future.

3 Section 8.1.1.1.2.1 For building work 2.4m from the rear boundary in lieu of 3m.

1. I object to relaxation on the building line restriction. This increases the floor space of the structure. The objection to this is the impact on the existing views from 38 & 40 Simonstown Road. No vehicle parking has been provided on Erf 7499 for a second dwelling. Vehicles will congest parking on Simonstown Road and impact on other dwellings.

4 Section 8.1.1.1.6.3 To permit a three storey structure which exceeds the two storey height restriction.

1. I object to any consideration to relax the above. This will set precedence for any future applications. This will impact on the view of all residents.
2. The new structure will be in direct view of Erf 7531, 38 & 40 Simonstown Road.
3. The construction activities will also impact on all residents on Simonstown Road. Public parking will be reduced. It is a concern that the pavements of Erf 7531 (38 & 40 Simonstown Road) will be commandeered as there is no space to be used by the property Erf 7499 (15 Simonstown Road) for construction activities and lay down area.

I confirm my objections as stated above to each non-conformance. I request that the proposed attic addition extension application is rejected.

I confirm that I am contactable at all times as per the address on this letterhead.

Yours faithfully

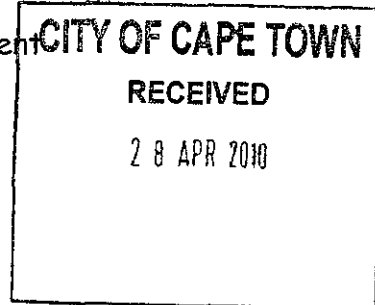


ROBERT JOHN PUTTICK

Joint property Owner, Erf 7531, 38 & 40 Simonstown Road, Fish Hoek

P O Box 397,
Rondebosch,
Cape, 7701.
2010-04-26.

Mr N B Woollam
Director: Planning + Building Development Management
Private Bag X5
Plumstead
7801



Dear Mr Woollam,

Application for departures: ERF 7499 Fish Hoek, 15 Simonstown Road.

Please note that I would appreciate it if my previous objections with respect to this application remain valid (Dec 2008).

Regarding the most recent application dated 30/03/2010 my objections are as follows:

Point 1 Section 5.4.1: There is already 1 erf 7499 with existing 2 levels on the erf. Addition of a loft level would increase the levels on this said erf to 3 levels which is non-conforming to the Provincial Act for residences on Simonstown Road. Should this be accepted, there will be a precedence set thus rendering the provincial act null + void.

- I object to the increase of floor space from 120m² to 179m² as this would severely impact on view from 38/40 Simonstown Road. Again, should this be allowed, precedence will be set for future dwellings in the area.

As it is very clearly advertised on existing dwelling for guest house facilities, no additional parking facilities have been made available for the increased floor space on plans. Additional persons on property implies that there would be a violation of traffic parking laws for vehicles. At present, this is the case that guests park in these set parking areas. Increasing the floor space to 180% of the site area to exceed the floor space of 66%, would increase the noise levels of the traffic to erf 7531. My objection is based on the proposed plans as the East, South + West plans show solid walls thus creating a noise tunnel. Also these walls would severely impact on view from 38/40 Simonstown Road.

Point 2 Section 8.1.1.2.1:

I object to the building to encroach on the 3m boundary line - again setting a precedence in the future for other dwellings. This also would bring the building closer to the road further increasing the noise levels of traffic.

Due to the proximity of the property to the road, I can clearly see that there is NO facility made for the delivery + storage of building materials eg: sand, stone, cement + bricks. This would impact on other dwellings in the proximity. Would you consider this an environmental issue?

Point 3 Section 8.1.1.6.3:

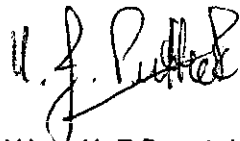
As I have stated previously, there are 2 levels of dwellings on this erf 7499 and is in contravention of the Provincial Act. I object to the 3rd level being added as this would set a precedence in the future. Again, there is no indication for parking for guests for this dwelling + would be a traffic contravention.

By the addition of this 3rd level, it would impact on the view from across the road with additional traffic noise levels resulting.

I also object to these plans as they are not appealing to the eye + would have an impact on the valuation of our property - who would be responsible for the loss of monies to our properties?

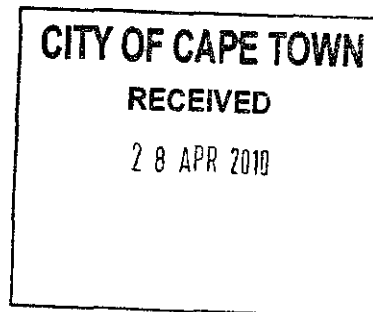
I would again state that I would like to be granted an opportunity to be present at the hearings on this issue when the meetings are held in order to put my objections through as well as to listen to proceedings.

Yours sincerely,



Miss M.J. Puttick

42 Simonstown Road
Fish Hoek
Cape Town
23rd April 2010



Dear Sir or Madam:

Application for departures: ERF 7499 FISH HOEK.

I hereby raise my objection to the proposed extensions to ERF 749 on all counts mentioned in the proposal.

I was under the impression that No.15 and No.13 Simonstown are on the same ERF. The buildings are currently used as two separate dwellings; therefore the proposed addition is intended for a 3rd apartment to be created.

I object to Section 5.4.1 the 2nd dwelling permission being granted. The building is already operating as two dwelling called No.13 and No.15 (upper and lower).

Due to the unique position the property holds in the Fish Hoek area it will contribute to over crowding and creating a very dense population. The bottom apartment has 4 bedrooms and the top apartment has 3 large bedrooms and they advertise they can sleep at least 6 people in the top apartment. So the site can already house 14 people and then to add the extra space in the roof the number grows.

Increasing the size allows for a 3rd apartment to be created and rented out. Therefore increasing the noise and traffic. The lack of off street parking within the deed area will impact on the neighbours as cars will be park outside the neighbouring properties and garages.

The building is old and has it features removed by trying to modernize it. The houses in this area generally have their own unique character and are visually appealing. The proposed extension will create a sterile box on top on the roof and a high corridor of a building to increase the street noise level to the surrounding properties. If the extension is approved where will the building materials be kept and how much disruption to the street parking and for how long? I do not think this extension will enhance the Fish Hoek beach area.

I object to the size of the 2nd dwelling. This is an infringement of the town planning. It is already a large and spacious apartment. To over build on the plot and to exceed council regulations is to change the nature of the building in to a block of flats. Building should conform to the regulations that are what they are there for.

The special nature of the Fish Hoek beach and mountain area needs to be preserved for future generations and not the here and now of making money. Over building the site will have a negative impact on the environment. The plot next door was subdivided some years ago and a house build now known as `No.17. Went up This building block my view. This was not what the town planner envisaged for Fish Hoek mountain area, when the original plans were being drawn up nearly a hundred years ago. This house has contributed to a more dense population of the area. Now the same said owners wish to exceed the floor space of their current dwelling and build close to the boundary which `I object to.

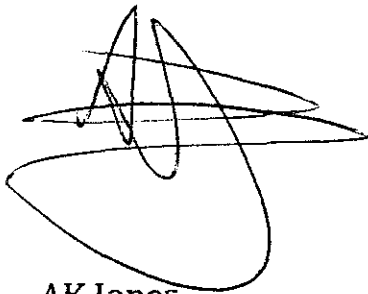
It is setting a precedent for changing the very nature of the area. The total floor space far exceeds the usage necessary for the purpose proposed.

I object to the height of the building. The coverage and the closeness to the boundary.

There are no off-street parking bays available. Fish Hoek beach goers use this road frequently. Therefore it cannot be relied upon for parking. There is one garage available for the whole building.

This is an infringement of town planning, and if it goes ahead will set a precedent that can have a negative effect on the surrounding area.

Yours truly

A handwritten signature in black ink, consisting of several overlapping loops and lines, appearing to be the initials 'AK' followed by a surname.

AK Jones,

ANNEXURE J

L.H.W. GRAY TRUST

Reg No 5083/77

13 Simons Town Rd

Fish Hoek

7975

Tele/Fax 27 021 7822674

E-mail: blgray@iafrica.com

CITY OF CAPE TOWN

RECEIVED

11 MAY 2010

PLANNING & BUILDING
DEVELOPMENT MANAGEMENT

09 May 2010

The Director
Planning & Building Development Management
The Municipality of Cape Town
Dear Sir/Madam

Application for Departures:

Erf 7499 Cape Town at Fish Hoek, 15 Simons Town Road.

I, representing the Trustees of the LHW Gray Trust, being the owner of Erf 7499 in Fish Hoek, wish to present our thoughts regarding the objections to our constructing a lounge in the roof of the dwelling on the before mentioned Erf 7499.

This application is, I believe, to deal with two separate matters.

1. Approval of existing building

The house is in the vicinity of 80 year old and I believe was build in accordance with the town planning at that time. There are a number of houses in this area that would not comply with what the present town planning stipulates. We need to accept the fact that the house on Erf 7499 has always been build within the current boundaries, with the current height.

(There are a number of houses that are three level high in the area. Mrs Jones's is one of them. Another is No 19 Simons Town Road, which was built in fairly resents times, using both the same coverage and north / south profile of the previous house, which was built in the early 1900.s. Also, a number of the houses in this area consist of two dwelling. Mrs Jones's, I am told, has a separate flat attached to it. While the Puttick's is two semi detached units. I find the objections to the 'Normalizing' of the existing house on Erf 7499 to be rather puzzling. Mrs Jones refers to a subdivision relating to No 17 Simons Town Road. This also puzzles me, as I was never aware that there had been any subdividing in this area for many years. Erf 7533, I believe must at some time, been subdivided.)

2. Application to build a lounge in the current roof

To deal with our application to build a second lounge, above the present lounge in the roof of the upper apartment on this property.

Comments on the Objections

Number of occupants

We are not intending to add an additional bedroom, but an only an extra lounge. Many homes have additional lounges, playrooms, TV rooms or computer rooms. We have no intention of creating a third apartment in the roof area.

(I am under the impression that the Jones' house has more than one communal room. Mrs Jones writes that we could accommodate 14 persons on the property. We have sleeping capacity for 6 in the upper apartment and the lower apartment is occupied by just my wife and myself. It could also accommodate 6 persons. We are not intending to extend this in any way.)

Noise

There are objections that the wall facing Simons Town Rd would create a 'noise corridor'. We have no expertise in sound distribution. The wall we are planning on erecting is less than 7.5 square meters. Whether this would create a greater noise effect than the existing tiled roof, we believe, can only be left to the experts. Should there be some expert proof that this wall will increase the sound level of the general traffic noise, to a higher level than the actual legal level then we must have to accept the fact. Any vehicles that are noisier than is allowed under traffic regulations, I feel, should be the responsibility of the traffic department.

(Kindly note that there are a number of buildings on both sides of Simons Town Road that could contribute to the creation of a corridor that could contain the road noise. Three of these are Nos. 38, 40, and 42.)

Mrs Jones writes that approving this addition would set a precedent – I repeat, there are many houses in this area that do not comply to the present regulation. Three of these, I understand, are Nos. 38, 40, and 42. The new lounge would not transgress the building boundary on the Simons Town road side (south side) of the property. It would only be outside the boundary on the north side, which can not be seen from either the Jones's or the Puttick's properties and would not extend past the present building. The new lounge would not extend above the present roof and would not impair the view from the Puttick's house. From the Jones's house a small triangle may only just be seen above the roof of the existing house when looking towards the mountain above the Silvermine valley.

Miss Puttick writes that we are renting as a guest house – this is incorrect. We have already established that we are a self-catering establishment and are entitled to operate as such.

Parking

All four objections refer to a possible parking problem. The proposed changes, will not increase the number of occupants and therefore the current parking requirements will not change. There is currently a single garage and public parking outside the property, for the use of all road users. There is parking on the beach for "beach goers".

Mrs Jones, when referring to the parking, writes 'Fish Hoek beach goers use the road frequently'.

Miss Puttick, when referring to our tenant's vehicles, writes 'there would be a violation of traffic parking laws for vehicles'.

Mr Puttick writes each time he makes an objection to an item on the application, 'There is no parking provided in these extensions for parking. Simons Town Road is intended for public parking, not residential'.

Mrs Holwill representing the Fish Hoek Valley Ratepayers & Residents Association writes 'This road is a busy main thoroughfare with limited parking only on the sea side'.

As Mrs Holwill points out, we have only one garage for the 2 apartments. Should we rent the upstairs apartment (which I believe we are entitled to do) to any family, they could have more than 1 car. My wife and I already have a car each.

Can we only park on Simons Town road, when going to the beach (ref Jones)?

Will we be violating a traffic law (ref Miss Puttick)?

Can we convert from residents to public (Mr Puttick)?

I am sure that there are many residents in Fish Hoek and all over South Africa who own more than one car and find that it is necessary to use the street adjacent to their homes for parking.

I am once again puzzled – is a visitor from up county more entitled to park in Simons Town Road than, I who have always paid my rates on time to the Municipality of Cape Town. Simons Town Road is a relatively busy road. It is designed to handle two-way traffic with marked off parking on the sea side only. The traffic flow is only held up occasionally by congestion in the main road. There has never been a problem with the width.

Generally, there is plenty of parking. There is only a problem over weekends and public holidays when the bays are taken by beach goers. Of course, when the beach park is full people will park where ever they can. I still find it impossible to understand why people living in any house should be excluded from parking in a marked off parking bay outside their home.

East and West Elevations

One of Mrs Holwill's objections is that the east and west elevations are not acceptable – I don't believe that they will be noticed adversely by anyone. Also the drawings have been accepted by both the Cape Town Heritage and Western Province Heritage.

Building operations

Naturally during any building operation there will be deliveries. We do not intend leaving anything on the pavement and anticipate only minor disruption to pedestrians, which are expected with the delivery of *building supplies*. We have a 4.5 meter wide *garage*, in which there would be ample space to store building materials as well as house a car. We are planning on using the supplies as they arrive. I did notice that when the Council's contractor were working on the Jager walk, that they merely put up a sign to tell pedestrians to walk on the opposite pavement.

Mean ground line

Mrs Holwill asks how the mean ground line was established. The pavement was used as one line and the average of the north side boundary as the other. On the other hand it is, to my mind, impossible to be *certain* were the *original slope of the Erf* was.

The fact is that the building is there and, regardless of whether it can be established that the building is higher or lower than the regulatory 8 meters, we have no intentions of building higher than the present roof.

Conclusion

We seek the approval of the Departure for the existing building, and we seek the approval to build an additional lounge in the roof of the building.

We welcome an inspection, by anyone you feel eligible to give the Municipality a clearer indication of the situation.

Should there be a meeting to discuss this matter, we wish to be invited to attend.

We enclose some photographs of the building.

Trustees

Bernard L. Gray





2009/07/05



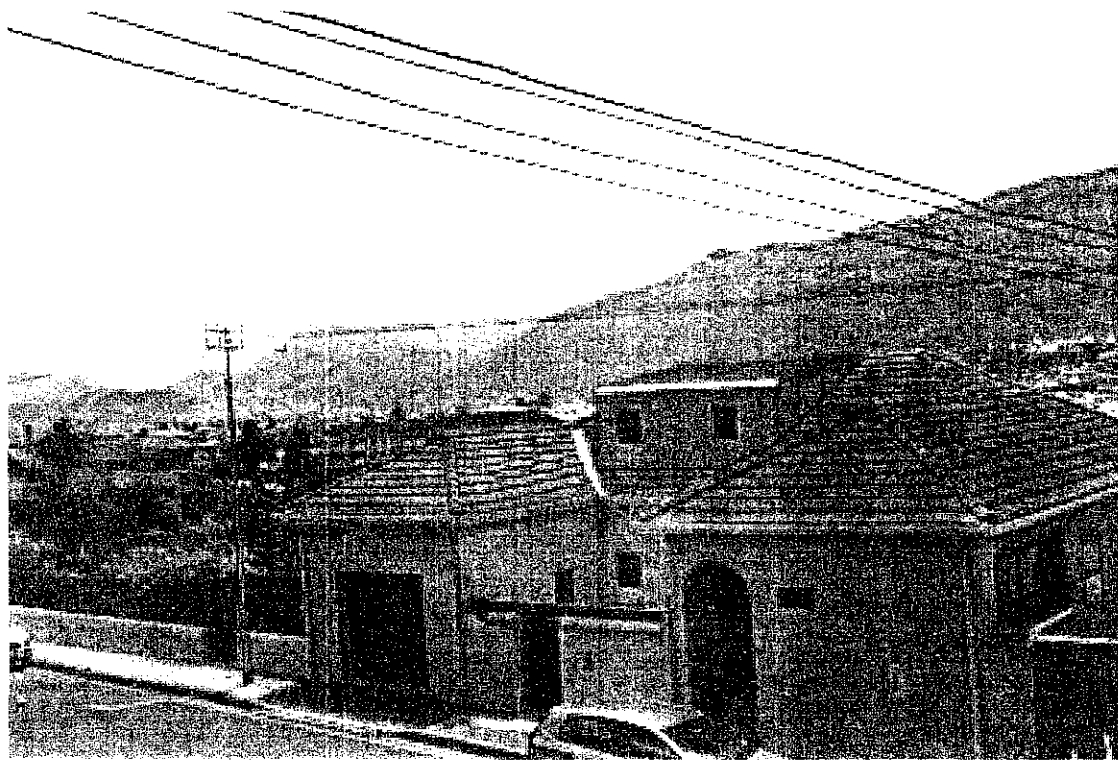
2008/11/25



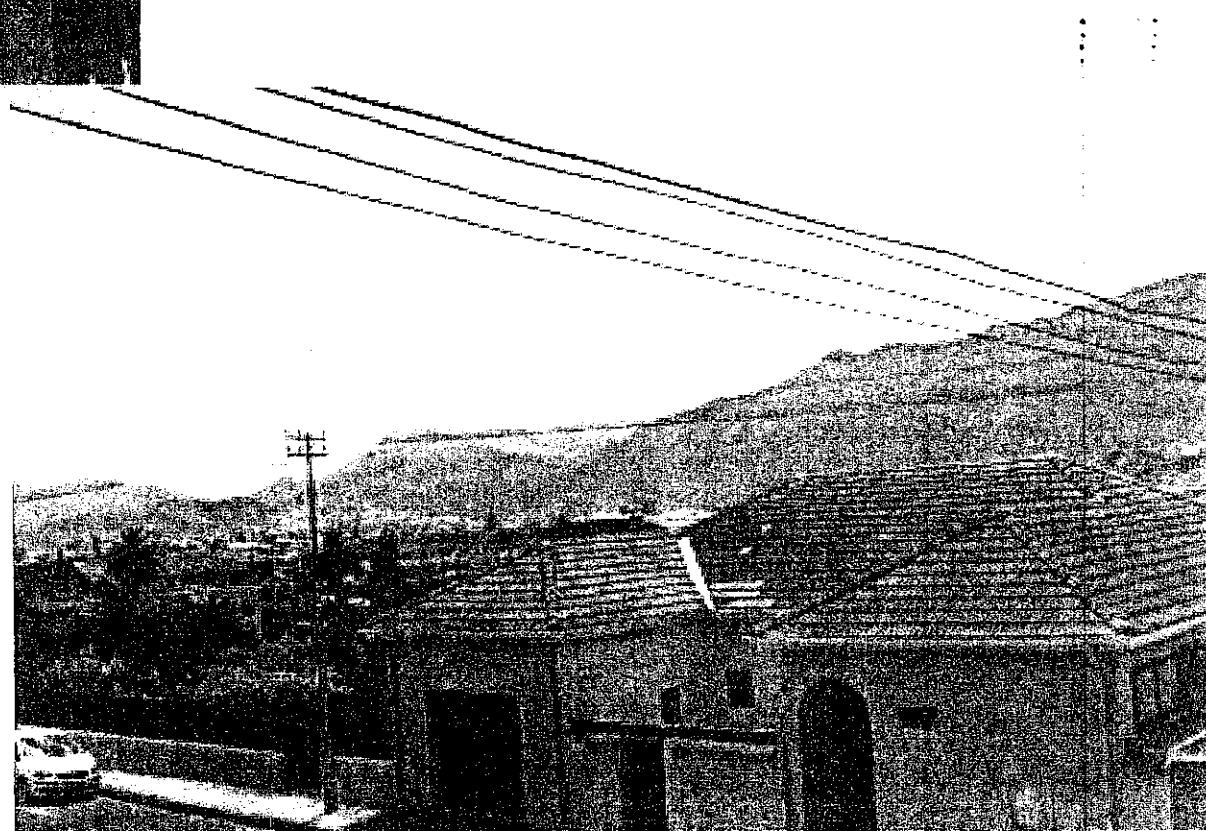
South Elevation

FROM 40





From
No 42



CITY OF CAPE TOWN (SOUTH PENINSULA REGION)
INTERNAL CIRCULATION (LAND USE DEVELOPMENT)
REZONING/ SUBDIVISION / DEVELOPMENT PLAN / CONDITIONAL USE / DEPARTURE

File Ref: LUM/35/7499

CITY OF CAPE TOWN

Return to:

P. Svard

RECEIVED

3 Victoria Road (Plessey Building), Plumstead
(or post to South Peninsula Area, Private Bag
X5, Plumstead, 7801) or fax: 021- 710 8283Suburb: FISH HOOK

21 AUG 2008

Erf No.: 7499PLANNING & BUILDING
DEVELOPMENT MANAGEMENTDate out: 2009-08-03Street: Simon's Town Road

CIRCULATION LIST:

Circulated to:

Return date:

CIRCULATION LIST:	Circulated to:	Return date:
Land Use Inspector	Att: J Pitcock	
Director: Spatial Planning & Urban Design	Att: Mr K Hennessy	
Director: Water and Sanitation	Mr Yusuf Ebrahim Att: Mr M. Mpondo	
Environmental Management : Environment : Heritage	Att: Mr A Greenwood, H Gold, J Garman, J Marais; B September	
Director: Transport	Att: Mr A Fotui	
Director: City Health	Att: Mr M McSweeney / J Mathyse	
Director: Solid Waste	Att: Mr G Visser	
Director: Building Development Management LUM's: Zoning	Att: Mr B Carter Att: Ms J Skibbe	
Director: Roads and Stormwater	Att: Mr R Williams Please contact the developer regarding the AOD	
Manager: Property Management	Att: Mr K Gallagher/ P Holt	
Director: City Parks	Att: Mr A Van Rooyen	
Manager: Water Services	Att: Mr C Koen	
Director: Electricity Services	Att: Ms S Nel	
Housing Department	Att: Mr P Dicks	
Manager Specialisd Services Air Pollution Officer (Commercial & Industrial Dev)	Att: Mr P Harmse	
Councillor	Councillor Purchase Alderman Holderness	
Ratepayers Association		

Attached, please find a copy of a development application for your comment. Should the proposal be support, please include requirements or conditions you require to be imposed. Legislation requires the Council to act within a time frame. Please respond as soon as possible (i.e. 4 weeks)

Comment: Environmental Management Services has no objection to this application.

HRS: 12/09 27/10: The NEMA EIA Reg's That came into effect on 2 Aug 2010 do not apply as there is no increase in the footprint. farm

Signature: farmanDate: 12-08-09

TRANSPORT — Transport Impact Assessment & Development Control - Region 6 & 8

ERF NO & AREA:	7499 FISH HOEK	Date:	14 AUGUST 2009
To:	PIERRE EVARD	FROM:	ARTHUR FOTIU
YOUR FILE REF:	LUM/35/7499	OUR FILE REF:	W16 - 7499

**BUILDING PLAN FOR PROPOSED LOFT LOUNGE ON ERF 7499, FISH HOEK
MAIN ROAD WIDENING AND STATUTORY BUILDING LINE**

Simon's Town Road is part of a Proclaimed Main Road (PMR 101), therefore the statutory 5m street building line is applied, measured from the future road reserve boundary.

Width as per proclamation, at this point, is 50 Cape Feet (15.74m).

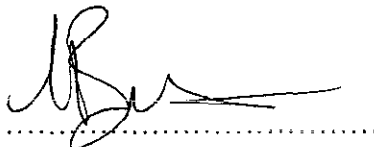
Existing width is 14.3m.

Additional width ultimately required is 1.44m on north side of Simon's Town Road.

The road improvement line and 5m street building line have been plotted on the loft-floor building plan.

There is no objection to the proposed structure, subject to the following conditions:

1. PG:WC's Transport Branch approval is required, as the property abuts a PMR.
2. The standard non-compensation agreement must be entered into with the road authority which in this case is the City of Cape Town, applicable to the new work only.



FOR DIRECTOR: TRANSPORT
Transport Impact Assessment & Development Control

**SOUTH PENINSULA AREA
(LAND USE DEVELOPMENT)
INTERDEPARTMENTAL CIRCULATION
REZONING / SUBDIVISION / REMOVAL OF RESTRICTION / DEPARTURE / CONSENT -
CONDITIONAL USE / SITE DEVELOPMENT PLAN (Amendment)**

File Ref: LUM / 35/ 7499 [1].....

Return to: Mr N. Woollam
3 Victoria Road (Plessey Building), Plumstead; Or post to: City of
Cape Town (South Peninsula Area), Land Use Development,
Private Bag X5, Plumstead, 7806; or fax : 021-710-8283

Property: Erf 7499
Address: Simon's Town Road

Date out: 13th April 2010

SOUTH PENINSULA ADMINISTRATION
 SERVICES
 CIVIL ENGINEERING SERVICES
 14 APR 2010

CIRCULATION LIST:

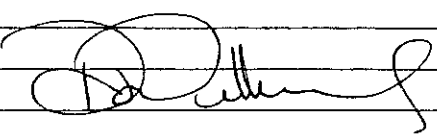
Circulated to:

Return date:

CIRCULATION LIST:	Circulated to:	Return date:
Legal Advisor(s)	Att: Cape Town	
Director: Economic Development/Tourism	Att: Ms Zatonisa Gabriels	
Director: Spatial Planning	Att:	
Director: Environmental Management Services (Heritage and Environmental)	Att: Giselle Roberts 1 st Floor Att: Jacky Marais Att: Joy Garmin	
Director: Transport Planning	Att: Arthur Fortui 1 st Floor	
Director: Community Health Services →	Att: Gavin Heugh / Faisal Andrews (Wynberg) Micheal Cupido Z. SAMAAI	
Director: Waste Management Mr Gregory Visser	Att: 19 th Floor Civic Centre Cape T.	
Building Management Development Ground fir	Att: H Ahfeld / A Kamalie (National Building Regulations) Att: J Finlay / J Thorns (Zoning Scheme Administration)	
Director: Roads and Stormwater Sewers: →	Att: Ron Williams XXXXXXXXXX Att: Fauldine Ishmail	
Manager: Property Management:	Att: Peter Holt / Mike Sims / Wendy Taylor	
Director: Community Services (City Parks - District Manager Phumla Mrubata)	Att: Andre van Rooyen	
Manager: Waterworks	Att: Clyde Koen	
City Electrical Engineering Co-Coordinator	Att: Susan Nel: (Wynberg)	
Director: Urbanisation & Housing Services	Att:	
Councillor / Civic Association		
Land Use Inspectorate Building Inspector: FIRE SERVICES	Att: Mr E. Kerchhoff Att: Mr Gerard Langenhoven	
Dept Transport & Public works [PRE]		
Public Library	For Information	

Attached, please find a copy of a development application for your comment. Should you support the proposal, please indicate requirements and/or conditions you require to be imposed. Legislation requires the Council to act within a prescribed time frame. Please respond within 4 weeks from the above date.

CITY OF CAPE TOWN
RECEIVED
 14 MAY 2010

Comment: No Objection.
 7/5/10

Annexure L
List of relevant parties

M J Puttick has requested an interview.

Applicant:

L H W Gray Trust
c/o Mr B L Gray
15 Simon's Town Road
Fish Hoek
7975

Objectors:

A Jones (Erf 7529)
42 Simons Town Road
Fish Hoek
7978
Ph 021 782 5908
Cell 084 3501 997

M J Puttick (Erf 7531)
P O Box 397
Rondebosch
7701

R J Puttick (Erf 7531)
P O Box 11363
Vorna Valley
1686

Fish Hoek Valley Ratepayers & Residents Association
P O Box 22125
Fish Hoek
7974